

The Chinese Communist Party and the Diaspora

Beijing's extraterritorial authoritarian rule

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Sammanfattning

Denna rapport undersöker det kinesiska kommunistpartiets politik för den kinesiska diasporan samt säkerhetskonsekvenser för diasporan och för de stater där de är bosatta. Eftersom Kina inte accepterar dubbelt medborgarskap är en stor andel av den kinesiska diasporan inte kinesiska medborgare. När Kinas ledare beskriver det kinesiska folket refererar de emellertid kontinuerligt till härkomst och blodslinje. Enligt denna uppfattning kan alla utländska medborgare med kinesiskt härkomst inkluderas i den kinesiska nationen. Kombinationen av etnisk nationalism och ett auktoritärt system är inte unikt för Kina, men Kinas globala inflytande, storleken på den kinesiska diasporan och den omfattande organisation som partistaten engagerar för att påverka kineser som bor utomlands gör att Kina sticker ut i jämförelse med andra auktoritära stater. För att påverka den kinesiska diasporan använder sig den kinesiska partistaten ibland av extraterritoriella handlingar. De medlemmar av diasporan som partiet anser vara lojala kan i vissa fall användas för att påverka politik i värdlandet till förmån för Kinas nationella intressen. Motståndare till partiet riskerar däremot att hotas eller till och med bortföras. Säkerhetskonsekvenser av detta omfattar bland annat att kommunistpartiet utövar inflytande i andra staters inrikespolitik, säkerhetshot mot enskilda diasporamedlemmar och att internationell rätt undermineras.

Nyckelord: Kina, diaspora, extraterritoriella handlingar, medborgarskap, nation, auktoritärt styre

Abstract

This report examines the Chinese Communist Party's (CCP) policy towards the Chinese diaspora and its security consequences. Because China does not accept dual nationality, most of the Chinese diaspora are foreign nationals. However, the Chinese leadership continuously uses ethnic and racial references such as bloodline and heritage when discussing the Chinese people. According to this view, all foreign nationals with Chinese heritage can potentially be included in the Chinese nation. While the combination of ethnic nationalism and an authoritarian system is not unique to China, China's global influence, the size of the Chinese diaspora, and the large organisation actively involved in influencing overseas Chinese make China stand out in comparison to other states. One reason why the Chinese government engages in extraterritorial activities is to extend its rule to the Chinese diaspora. Those members of the diaspora who the Party considers loyal are sometimes used as brokers to influence politics in the host country in favour of China's national interests. Opponents to the Party, in contrast, risk being threatened or even abducted. The security consequences span from CCP influence in the domestic politics of foreign states to security threats against individual members of the diaspora.

Keywords: China, diaspora, extraterritorial activities, citizenship, nation, authoritarianism

Executive summary

In recent years, worried voices have been raised against China's growing influence in other states. Part of this influence involves mobilising overseas Chinese in the host countries. The Chinese Communist Party extends its authoritarian rule to its population abroad as a way to gain support for its policies and control its opponents. A crucial aspect, with profound security consequences, is the question of whom the Chinese party-state regards as Chinese and thus a legitimate target for its influence.

The Chinese diaspora is diverse and includes citizens abroad as well as foreign nationals of Chinese descent. The Chinese Communist Party (CCP) regards the diaspora as important actors for China's development and the so-called "great rejuvenation of the Chinese nation" launched under Xi Jinping's leadership. Xi's ambition is that China should take centre stage in global politics.

However, the Chinese government's efforts to mobilise overseas Chinese in support of CCP policies as well as to pressure and threaten those who oppose the CCP have led to negative reactions from foreign governments. In addition, not all members of the Chinese diaspora appreciate Beijing's efforts to include them in the CCP-led rejuvenation project. The Chinese regime's efforts to influence and control the Chinese diaspora abroad constitute extraterritorial activities that in many cases violate international law. One such case involves the abduction of Swedish national, Gui Minhai, in Thailand. In order to understand Chinese foreign policy ambitions and extraterritorial activities, it is important to investigate the underlying views of the CCP leadership.

This report studies the CCP's policy towards the Chinese diaspora by exploring the following questions: How does China's current leadership view Chinese nationality? How has this perspective been reflected in changes in policy towards overseas Chinese under Xi Jinping's rule? What are the security consequences of this policy changes for overseas Chinese and the countries in which they reside?

The research is based on open access academic and media sources, in English, Swedish, and Chinese, and textual analysis of Chinese documents and speeches.

The CCPs view of Chinese nationality

China does not recognise dual nationality. Consequently, Chinese who acquire foreign citizenship are no longer Chinese nationals. However, the Chinese leadership simultaneously uses ethnic and racial references when talking about the Chinese people and continuously emphasises the importance of bloodline and heritage. According to this view, all foreign nationals with Chinese heritage, no matter how many generations back, can potentially be included in the Chinese nation. This perspective obscures the distinction between Chinese nationals abroad (*huaqiao*) and foreign nationals of Chinese heritage (*huaren*).

The authoritarian nature of the regime allows little or no space for any other views than the official one, nor for opposition to the Party. This intolerance towards dissenting views also includes the Chinese diaspora. From Beijing's perspective, support for China equals support for the Party. While the combination of ethnic nationalism and an authoritarian system is not unique to China, China's global influence, the size of the Chinese diaspora, and the level of organization of the CCP's propaganda apparatus towards overseas Chinese make China stand out in comparison to other states.

Diaspora relations under Xi Jinping

Under Xi Jinping's reign, China has moved towards a more assertive foreign policy. The Chinese diaspora has been declared an important part of the process of rejuvenating the Chinese nation. The overseas Chinese affairs work, led by the United Front Department, has intensified its efforts to mobilize the Chinese diaspora, regardless of citizenship, for the CCP's cause. This study provides examples of how the Chinese government engages in extraterritorial activities with the aim of extending its rule to the Chinese diaspora.

Those members of the diaspora who the Party considers to be loval are sometimes used as brokers in order to influence a host country's politics in favour of China's national interests. Chinese actors with different degrees of involvement with the CCP have been active in influencing politics in Western democracies such as Australia. In Malaysia, where the Chinese diaspora constitutes a substantial part of the population, Chinese ambassadors have on several occasions been criticized for interfering in internal Malaysian affairs through their statements in support of the Chinese community. In contrast, members of the diaspora that the Party perceives as its opponents risk being threatened or even abducted. The case of the abduction of Swedish citizen Gui Minhai in 2015 is an example of a new form of extraterritorial act performed by the Chinese state in clear violation of international law. Similarly, since 2016, Taiwanese citizens suspected of telecom fraud in countries such as Kenya, Cambodia and Spain have been extradited to China. The extraditions constitute a break from previous practice and have sparked strong reactions from the Taiwanese government, who see them as extrajudicial abductions.

Security consequences

The extraterritorial activities directed at the Chinese diaspora and analysed in the study may have the following security consequences for other countries:

1. The CCP can directly influence domestic politics and policymakers in other countries. In the event that the CCP's interest contradicts the national interest of the host country, such policymakers may undermine the country's national security.

- States cannot guarantee that citizens of Chinese descent are secure from being sanctioned by the CCP. These individuals cannot trust that their citizenship will give them the same protection as other citizens of the same state enjoy.
- 3. Citizens of Chinese descent can fall prey to anti-Chinese sentiments in society. Recent history, especially in Southeast Asia, shows that this can turn into deadly violence.
- 4. Other citizens can be sanctioned by the Chinese Party-state because of deteriorating bilateral relations. One example is the hostage diplomacy China has used against Canada.
- 5. Every extraterritorial act the Chinese government performs in violation of international law calls its commitment to it, and to the respect of principles of nationality, into question. When ethnicity and heritage are allowed to override principles of civic nationality based on legal citizenship, China's extraterritorial activities threaten to undermine international law.
- 6. The abduction of British citizen Lee Bo in Hong Kong and the extradition of Taiwanese citizens from third countries show Beijing's lack of respect for the judicial independence of Hong Kong and Taiwan. Such extraterritorial activities are manifestations of the Party's aim to increase its control over these territories.

Countermeasures

It is important that the international community refuse to accept the CCP narrative of the Party's representing all Chinese. On the contrary, other states should make clear that the CCP's efforts to use and pressure the Chinese diaspora are at the core of the problem.

Careful examination and mapping of the CCP's relationship with the Chinese diaspora, including the United Front's activities abroad, are important, not least in order to remove any suspicion against the majority of the Chinese diaspora, who are not working for the Party.

States affected by Chinese extraterritorial activities, such as Sweden, would do well to share their experiences and coordinate action with other countries. To deal with Chinese extraterritorial activities, the EU could coordinate its policy among the member states. Attention may be given to examples of different possible countermeasures, such as Australia's 2018 Foreign Influence Transparency Scheme Bill.

Abbreviations

AIIB Asian Infrastructure Investment Bank

BRI Belt and Road Initiative

CSSA Chinese Students and Scholars Association

CCP Chinese Communist Party

EU European Union

ICCPED International Convention for the Protection of All Persons from

Enforced Disappearance

MCA Malaysian Chinese Association NGO Non-governmental organisation

OCAO Overseas Chinese Affairs Office

PRC People's Republic of China

PRCA Peaceful Reunification of China Association

UFWD United Front Work Department

UN United Nations
US United States

VCCR Vienna Convention on Consular Relations

WTUF World Trade United Foundation

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1 Introduction

In recent years, worried voices have been raised against China's increasing influence in Western countries. 1 Influence takes place directly through for example investments and diplomatic contacts and indirectly by influencing and mobilising overseas Chinese in the host countries. Crucial to the latter aspect is the question of whom the Chinese party-state regards as Chinese and thus a legitimate target for its influence. The Chinese diaspora is diverse and includes Chinese citizens abroad as well as foreign nationals of Chinese descent. The Chinese Communist Party (CCP) regards overseas Chinese as important actors for China's development and the so-called "great rejuvenation of the Chinese nation" (zhonghua minzu weida fuxing 中华民族伟大复兴) launched under Xi Jinping's leadership. Xi's ambition is that China should take a center stage in global politics. In his National Day address on 1 October 2019, he said, "The sons and daughters of the Chinese nation at home and abroad take pride in and joyfully give our best wishes to our great motherland."2 This statement includes not only Chinese citizens, but also non-nationals of Chinese descent. However, the Chinese government's efforts to mobilise overseas Chinese in support of CCP policies, as well as pressure and threats towards Chinese who oppose the CCP, have created negative reactions from foreign governments. In addition, not all members of the Chinese diaspora appreciate Beijing's effort to include them in the CCP-led rejuvenation project.

The Chinese leadership's official statements indicating that they view all persons of Chinese heritage as part of the Chinese nation regardless of their citizenship clash with the international norm of nationality based on citizenship. Some cases, such as those involving engagement in domestic politics in foreign countries and the abduction of foreign citizens outside China's territorial jurisdiction, constitute examples of extraterritorial action. Such acts signal an expansion of a Chinese ethnic nationalism that has profound consequences for security.

In order to understand Chinese foreign policy ambitions, it is important to investigate the underlying views of the CCP leadership. How Beijing perceives and defines the Chinese nation and Chinese people can be traced back to the time prior to the forming of the Chinese republic, when China faced the dilemma of creating a modern nation based on the territory of an ancient empire. Questions of nation and ethnicity have a direct impact on Chinese security politics, both

¹ The author wishes to thank Jerker Hellström and Fredrik Fällman for reviewing different versions of the draft. Thanks also to Richard Langley, who provided valuable comments and language-edited the report.

² Xinhua News, 'China focus: Xi says no force can ever undermine China's status', 1 October 2019, http://www.xinhuanet.com/english/2019-10/01/c_138442542.htm.

domestically in relation to ethnic minorities and internationally in relation to overseas Chinese.

The aim of this study is to investigate the Chinese government's current view on the notion of Chinese nation and nationality. This is important in order to understand the changes that have occurred in China's policy towards overseas Chinese under Xi Jinping's rule. A further aim is to examine the security consequences of the Chinese government's efforts to influence overseas Chinese, and how that also affects the countries in which they reside.

The study's aims have been investigated by reformulating them as several interrelated research questions: How does China's current leadership view Chinese nationality? How has this perspective been reflected under Xi Jinping's rule in changes of policies towards overseas Chinese? What are the security consequences of this policy change for overseas Chinese and the countries in which they reside?

1.1 Methodology and sources

The report is based on open sources, mainly previous academic research in various disciplines and other sources, in English and Chinese. Several books, *Discourses of Race and Rising China*, by Yinhong Cheng, *Qiaowu*, by James To, and *The Rise of China and Chinese Overseas*, by Leo Suryadinata, have been of particular importance. Additional empirical information comes from English, Swedish, and Chinese language media reports. Moreover, the study includes textual analysis of primary sources, in the form of official documents and Chinese leaders' speeches.

The primary data is limited to statements and documents, such as white books and speeches by the central leadership. This is because it is conducted as an analysis of the CCP leadership, focusing on the question of the Chinese nation and Chinese nationality, and not an explanation of Chinese culture and philosophy in general. Although a historical perspective is helpful in understanding the questions of nation and nationalism in China, the present approach is mainly to examine the current administration under General Secretary Xi Jinping (2012–). The security consequences that the study investigates are the Chinese government's efforts to influence overseas Chinese, and how that also affects the countries in which they reside.

1.2 Theoretical perspective and key concepts

This study uses a theoretical framework developed by Marlies Glasius for the study of extraterritorial practices.³ Glasius argues that authoritarian regimes tend to relate in a similar way to their respective diaspora and refers to this as *extraterritorial authoritarian rule*. Authoritarian regimes extend their rule to their populations abroad. Building on Gerschewski's authoritarian pillars of stability – repression, legitimation, and co-optation,⁴ which are different strategies to ensure stability of the state – she suggests that authoritarian states can approach their nationals as subjects, or outlaws (repression); as patriots, or traitors (legitimation); and as clients (co-optation). These are further divided into inclusive and exclusive approaches. With inclusive approaches, regimes treat their overseas populations as either subjects, patriots, or clients, and include them in the authoritarian polity. Those who resist being included can be excluded from the polity by the authoritarian state and treated as outlaws or traitors. Glasius points out that inclusive approaches do not imply extension of citizenship rights.⁵

<u>Repression</u>	<u>Legitimation</u>	Co-optation
Inclusion: subjects Exclusion: outlaws	Inclusion: patriots Exclusion: traitors	Inclusion: clients

Figure 1. Extraterritorial authoritarian practices (Based on Glasius 2018).

Repression, in this context, means the actual or threatened use of sanctions. As a *subject*, the person is *included* and treated in the same way they would be if they were still within the territory of the state. This can involve being surveilled, threatened, and even killed. As an *outlaw*, the person is *excluded* from participation in the polity. This can involve withdrawal of citizenship, cutting ties with relatives, or denial of entry to the home country. Based on Glasius' model, in this study the Chinese state's approach to the Chinese diaspora is analytically divided into the two different ways that the authoritarian state refers to its population to legitimate its rule. This may either be as *patriots*, to be manipulated (Chapter 5), or as *traitors*, to be castigated (Chapter 6). Finally, those among the diaspora whom the authoritarian state finds strategically relevant are susceptible to co-optation, as *clients*. This strategy is mutually beneficial to the state and its client. The client will receive some material reward in exchange for support. As is made clear in this study, the Chinese state assigns all of these different categories to its diaspora.

³ M. Glasius, 'Extraterritorial authoritarian practices: a framework', *Globalizations*, vol. 15, no. 2, 2018, p. 180

⁴ J. Gerschewski, 'The three pillars of stability: Legitimation, repression, and co-optation in autocratic regimes'. *Democratization*, vol. 20, no 1, 2013, pp. 13-38.

⁵ Glasius, 'Extraterritorial' p. 186.

⁶ Glasius, pp. 188-89.

This theoretical perspective is helpful for understanding China's approach to its diaspora. China is not unique in how it deals with its diaspora, but is similar to many other authoritarian regimes in its use of these methods.

This study builds on research in the fields of diaspora studies, and the study of nations and nationalism and of extraterritorial state activities. A general note is that concepts such as nation, ethnicity, and diaspora are treated here as social constructs. This means that they are not objective and fixed, but fluid and subjective, categories.

In this study, the notion of overseas Chinese is used interchangeably with the general term *diaspora*. It includes people of all recognised 56 ethnic groups with descendants in today's mainland China, Taiwan, Hong Kong, and Macau. Diaspora is a complex concept that is difficult to delineate, since there is no distinct characteristic, such as citizenship, that defines it. People of different nationalities can be a part of the same diaspora. Moreover, defining a diaspora based on *ethnicity* or *race* is problematic, as such concepts are in themselves largely constructed, and ignores the fact that an individual may have many parallel identities. This study follows Anthias' definition of a diaspora as "a connection between groups across different nation states whose commonality derives from an original but maybe removed homeland; a new identity becomes constructed on a world scale which crosses national borders and boundaries."

This study is concerned with understanding the background to, and the consequences of, extraterritorial activities performed by the Chinese state. *Extraterritorial state activities* are acts performed outside the territory of the state. This definition covers a broad spectrum of acts that can be aimed at a personalised object, such as capturing a terrorist individual or group, or a spatial object, such as occupying a territory. This study is only concerned with the first category, a personalised object. However, the activity may have significant security consequences for the state in which the person or group resides. More specifically, the present study examines the Chinese state's extraterritorial acts directed towards the Chinese diaspora.

Finally, *security* is based on Buzan's broad definition: "Security is taken to be about the pursuit of freedom from threat and the ability of states and societies to maintain their independent identity and their functional integrity against forces of change which they see as hostile."

⁷ F. Anthias, 'Evaluating 'diaspora': beyond ethnicity?', *Sociology*, vol. 32, no. 3, August 1998, p. 559.

⁸ R. Wilde, 'Legal "black hole"? Extraterritorial state action and international treaty law on civil and political rights', *Michigan Journal of International Law*, vol. 26, 2005, pp. 741-742.

⁹ B. Buzan, 'New patterns of global security in the twenty-first century', *International Affairs*, vol. 67, no. 3, 1991, p. 432.

1.3 Outline

Chapter 2 presents an analysis of how the Chinese Communist Party views Chinese nationality. It includes a historical background on how the notion of a Chinese nation formed and developed up until the current situation. Then follows a discussion on China's ethnic nationalism and its domestic and international consequences. Ethnicity and race are also discussed in relation to how the Chinese state deals with the Chinese diaspora, both of Chinese nationals abroad and foreign nationals with Chinese heritage.

China is furthermore regarded from the perspective of how other states deal with their diaspora in Chapter 3. Important distinctions are drawn between how democracies and autocracies treat their respective diaspora.

Chapter 4 describes how China's foreign policy and diaspora policy have developed under Xi Jinping's rule (2012–). The chapter outlines how China's deterritorialised ethnic nationalism is combined with an increasingly assertive foreign policy and China's expanding influence in other countries. The focus here is on China's comprehensive system of governing its diaspora. "Overseas affairs work" has gained in importance under Xi's reign and this has affected overseas Chinese as well as foreign governments.

Chapter 5 describes and analyses a set of extraterritorial activities that the Chinese state directs towards those among the Chinese diaspora whom it considers to be patriots. This involves acts that can be considered as interference in the domestic politics of other states.

In Chapter 6, the focus shifts to extraterritorial activities, including abduction of foreign citizens outside China and extradition of Taiwanese citizens from third countries, directed at opponents of the CCP.

Chapter 7 analyses the security consequences of China's extraterritorial activities. Finally, Chapter 8 provides conclusions and summarises the findings of the study.

2 The Communist Party's view of Chinese nationality

This chapter sets out to explore Beijing's perception of nationality. While the Chinese government formally recognises that nationality is based on citizenship, it simultaneously upholds a nationalism that has many ethnic components that emphasise bloodline and heritage. Based on this view, Chinese nationality potentially includes all those with a Chinese heritage, including the 40 million overseas Chinese. At the 7th Conference for Friendship of Overseas Chinese Associations in 2014, Xi Jinping said,

...there are tens of millions of overseas Chinese in the world, and everyone is member of the Chinese family. For a long time, generation after generation of overseas Chinese have upheld the great traditions of the Chinese nation and have not forgotten the motherland, their ancestral hometown, or the blood of the Chinese nation flowing in their bodies (*shenshang liutang de zhonghua minzu xueye* 身上流淌的中华民族血液) (...) wherever our compatriots live, they have a distinctive Chinese culture in them. Chinese culture is the common spiritual gene (*jingshen jiyin* 精神基因) of Chinese children.¹¹

This perspective deterritorialises the nation from the national territory of the People's Republic of China (PRC). Foreign nationals with Chinese heritage, no matter how many generations back, can thus be included in the Chinese nation. ¹²

The authoritarian nature of the regime allows no opposition to the Communist Party. The Party claims that true patriotism includes love of the Communist Party. ¹³ As described in the section on theory, authoritarian regimes do not approach their populations as citizens with rights, as in such states, rights are in practice not a part of the contract between state and society. ¹⁴ Like other authoritarian states, depending on circumstances, the Chinese Party state approaches its population abroad in a number of different ways, which are analysed in Chapter 5 and 6. First, however, we should consider the question of whom the CCP considers to be part of the Chinese nation and on what grounds.

¹⁰ D. Poston and J. Wong, 'The Chinese diaspora: the current distribution of the overseas Chinese population', *Chinese Journal of Sociology*, vol. 2, no. 3, 2016.

¹¹ Xinhua News, '习近平会见第七世界华侨华人社团联谊大会代表'[Xi Jinping meets with representatives of the 7th Conference for Friendship of Overseas Chinese Associations], 6 June 2014, http://www.gov.cn/xinwen/2014-06/06/content_2695778.htm.

¹² Ruben Gonzalez-Vicente characterises China's foreign interventions based on a racist understanding of "Chineseness" as 'extraterritorial racial sovereignty'. R. Gonzalez-Vicente, 'The empire strikes back? China's new racial sovereignty', *Political Geography*, vol. 59, 2017, pp. 139-141.

¹³ CCP Central Committee and State Council, '新时代爱国主义教育实施纲要' [Implementation outline for patriotic education in the new era], 12 December 2019, http://www.gov.cn/zhengce/2019-11/12/content_5451352.htm.

¹⁴ Glasius, p. 186.

Formally, China's position on nationality is clear. Article 3 of China's nationalities law, from 1980, spells out that China does not recognise dual citizenship for any nationality. ¹⁵ Accordingly, all who do not hold Chinese citizenship are foreign nationals over which China has no legal jurisdiction. However, in China both official and popular discourse on the Chinese nation and its people often contains strong ethnic and racial components. ¹⁶ In this respect, belonging to the Chinese nation is decided by a person's ethnicity, rather than citizenship.

The Communist Party is actively engaged in developing an emotional bond to the motherland that includes all those of Chinese heritage and tries to mobilise them to support Party policies, especially in relation to China's national core interests. ¹⁷ While focusing on ethnic and racial attributes can strengthen a sense of belonging and loyalty among a majority of the population, it also risks alienating those who do not fully share identification with the official image of the Chinese nation. In a multiethnic state like China, national minorities in and outside China will be less included in the nation when the state typically emphasises Han Chinese ethnic attributes. ¹⁸ Internationally, Chinese persons with foreign citizenship are in many cases reluctant to be included in a nation that they might not even have visited. Efforts by the Chinese state and local Chinese community representatives to depict the Chinese as victims and to promote narratives of shared suffering have been resisted by 'Chinese' who refuse to be victimised. ¹⁹ In addition, the more the Chinese state tries to include the overseas Chinese as subjects, the more the states in which these overseas Chinese reside may come to question their loyalty. ²⁰

Ethnic nationalism is by no means unique to the Chinese government. Many state leaders use ethnic nationalism to strengthen legitimacy, which often aggravates minority groups and breeds ethnic tension. However, how the regime relates to its international diaspora depends on how authoritarian or democratic it is. The regime relates to its diaspora in ways that are similar to how it relates to its

W. Callahan, China Dreams: 20 Visions of the future, New York, Oxford University Press, 2013 p. 106; Y. Cheng, Discourses of Race and Rising China, McMillan, Palgrave, 2019.

Nationality Law of the People's Republic of China, 1980, http://www.china.org.cn/living_in_china/visa_customs/2006-10/18/content_1184710.htm.

¹⁷ China's national core interests have been broadly defined as: "state sovereignty, national security, territorial integrity and national rejuvenation, China's political system established by the Constitution and overall social stability, and the basic safeguards for ensuring sustainable economic and social development," see PRC State Council, White paper on China's peaceful development, September 2011, Chap. 3, http://english.www.gov.cn/archive/white_paper/2014/09/09/content_281474986284646.htm.

¹⁸ This includes for example the promotion of standard Chinese over minority languages and historical references that are exclusively related to the Han. However, the "Han" is also a constructed category that contains significant diversity in terms of culture and language.

¹⁹ L. Edwards, 2019, 'Victims, Apologies, and the Chinese in Australia', *Journal of Chinese Overseas*, vol. 15, 2019, pp. 62-88.

This worry has been expressed by for example American Chinese, see: P. Waldman, 'As China' anxiety rises in US, fears of new red scare emerge', *Bloomberg*, 13 June 2019.https://www.bloomberg.com/news/articles/2019-12-31/as-china-anxiety-rises-in-u-s-fears-of-new-red-scare-emerge.

domestic citizens. A democratic state has less reason to repress those in the diaspora who are not supporters of the government, in the same way as it accepts a domestic opposition. Hence, a democratic state will also have less reason than an authoritarian state to control and influence the political attitudes of the diaspora. In contrast, the Communist Party considers opponents among overseas Chinese as an existential threat. Party propaganda conflates the Party with the Chinese nation and treats opponents to the Party as traitors of the Chinese nation.²¹

China stands out in relation to other authoritarian states in how it relates to its diaspora. First, a majority of the Chinese diaspora are foreign citizens. Since China does not recognise dual citizenship, influencing ethnic Chinese of foreign nationality is a sensitive subject in many states. China is also special because of its highly organised Leninist system. The Party mobilises the resources of the Party and state at all levels domestically and internationally, in coordination, in order to pursue its policies towards overseas Chinese. The main driving force behind the Party's ethno-nationalism and the active mobilisation of the diaspora in favor of Party policies is to retain its grip on power in China.

2.1 Ethnicity, race, and the Chinese nation

Today's PRC has inherited the territorial boundaries of the empire of the Qing dynasty (1644-1911), whose territory was unusually large compared to previous dynasties'. China's encounter with Western nation-states during the 19th century led to a brutal awakening and the slow realisation that if China were to survive it would have to transform itself into a modern nation-state. This involved creating a nation, a concept that was alien to the Chinese imperial tradition.²² In contrast to many traditional empires, such as the Ottoman and Habsburg, which fell apart and were replaced by smaller nation-states, republican China and its successor, the PRC, managed to more or less preserve the territorial borders of the Qing Empire, although de facto political control was not secured until 1950.²³

The Chinese term for nation (*minzu* 民族) was introduced at the turn of the 20th century.²⁴ The term is ambiguous, as it can include anything from ethnicity to nation and race.²⁵ Creating a nation was in the eyes of some Chinese intellectuals necessary in order to save China from being overtaken by Western powers. When the early Chinese nationalists started to define the Chinese nation in the late 19th

²⁴ Zhao, A Nation-State, p. 45.

²¹ X. Wang, 'The question facing Chinese diaspora: for love of country or party?' South China Morning Post, 22 July 2018. https://www.scmp.com/print/week-asia/politics/article/2155747/question-facingchinese-diaspora-love-country-or-party.

²² S. Zhao, A Nation-State by Construction: Dynamics of Modern Chinese Nationalism, Stanford, Stanford University Press, 2004.

²³ With the notable exceptions of Mongolia, Taiwan, Hong Kong, and Macau.

²⁵ Callahan, China Dreams, p. 104.

century, they used the concept, zhonghua minzu (the Chinese nation 中华民族). but they were generally referring to the Han Chinese, distinguished from the ruling Manchus, who were considered foreign invaders. In fact, the nationalist struggle had a strong ethnic and racist component that focused on fighting the ruling Manchu dynasty as a non-Han Chinese dynasty. The term most often used today to denote the Chinese people, *zhongguoren* (中国人), was also originally referring to the Han Chinese. ²⁶ However, Sun Yat Sen, considered in China to be the father of the Chinese republic, realised that a sole focus on the Han Chinese would threaten the unity of China. He argued therefore that China consisted of five nationalities (Han, Tibetan, Manchu, Mongolian, and Muslim), but constituted one common race; this race happened to converge with the territorial borders of the Oing Empire.²⁷ Later. Sun regretted the idea of the five nationalities and instead argued for total assimilation of Chinese into one unitary nation. 28 When the communists came to power in 1949, they set out to define China's national minorities. Today's China is officially described as a multiethnic state, with one majority ethnic group (Han), constituting 92% of the population, and 55 ethnic minorities. The definition of these groups was basically finalised by Beijing in the 1950s.

While Maoism at least in theory was ethnically neutral, ²⁹ as focus was to be on class rather than ethnicity, current nationalism in China tends to put the focus on the racial and ethnic attributes of the dominant Han ethnicity, at the expense of the minority groups. ³⁰

The emphasis on ethnicity and race has domestic as well as international consequences. China is a multiethnic state, with large areas traditionally dominated by ethnic minorities, such as Tibetans, Uighurs, in Xinjiang, and Mongolians. Ethnic nationalism and separatism in these areas is a constant worry for Beijing, and the CCP has, particularly since 2001, stepped up repression of what it considers a terrorist threat. In 2014, Xi Jinping officially ordered the "people's war on terror," with a tougher policy of fighting terrorism, religious extremism, and separatism in

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²⁶ Zhao, p. 46. As noted by Vasantkumar, among others, the Han ethnic identity is also a politically-constructed category; see C. Vasantkumar, 'What is this "Chinese" in overseas Chinese? Sojourn work and the place of China's minority nationalities in extraterritorial Chinese-ness', *The Journal of Asian Studies*, vol. 71, no. 20, 2012, p. 433.

²⁷ J. Fitzgerald, 'The Nationless State' Australian Journal of Chinese Affairs, no. 33, 1995, p. 88.

²⁸ M. Fiskesjö, 'Rescuing the empire: Chinese nation-building in the twentieth century' European Journal of East Asian Studies, vol. 5, no. 1, 2006, pp. 15-44.

²⁹ Ethnic minorities were in practice targeted and victims of many of the atrocities committed. Moreover, as Michael Schoenhals has shown, dehumanization of opponents, a form of racial thinking, was common during the Cultural Revolution. M. Schoenhals, 'Demonizing Discourse in Mao Zedong's China. People vs Non-People', *Totalitarian Movements and Political Religions*, vol. 8, no. 3-4, 2007. Yinhong Cheng further points out that also the class-based identity was inherited and carried further along bloodlines; see Cheng, 2019, p. 299.

³⁰ Cheng, 2019.

Xinjiang.³¹ This became a starting point for the unprecedented repression of Uighurs and other Muslim minorities in Xinjiang.³² The new repression represents a policy shift towards a more extreme assimilationist ethnic policy, in which ethnic differences should be downplayed.³³

Since China is a multiethnic nation, it is formally incorrect to talk about a Chinese ethnicity. However, the notion of "Chinese people" is often assumed to mean Han Chinese.³⁴ For example, spoken Chinese is interchangeably referred to as Han language (hanyu 汉语) and Chinese language (zhongguohua 中国话). While the new ethnic policy intends to downplay the role of ethnicity of ethnic minorities. there is no indication of a similar policy regarding Han Chinese. As Yinhong Cheng and other scholars have documented, racial thinking and ethnocentrism permeate the whole of Chinese society, from the political and intellectual elite to popular culture. 35 Frank Dikötter has documented how this is not a new phenomenon, and that racism is not an import from the West, but can be found long back in Chinese history. ³⁶ To the Communist Party, history is a politically sensitive issue that it needs to control. Scientists in China who argue for a more scientific view of race and biology fight an uphill battle against the official nationalist discourse. In 1998, Chinese scientists participating in the international Human Genome Project published evidence that today's Chinese are biologically descendent from Africa and not, as is claimed in the official narrative, descendants of Peking Man (aka Beijing Man) and fundamentally unique.³⁷ Such findings do not suit the official image of one united China, with a shared heritage and origin in the Chinese soil. While Chinese geneticists acknowledge that the Chinese originated in Africa, like the rest of the world, the education and propaganda authorities continue to propagate the idea that the Chinese originate from Beijing Man, "for patriotic education and nationalist mobilization." 38

The mythical Yellow Emperor is similarly used as a unifying symbol for all Chinese. Official discourse often refers to the Chinese people as descendants of the Yellow Emperor, while Chinese leaders continuously pay homage to his

³¹ S. Christian, 'Fear and oppression in Xinjiang: China's war on Uighur culture'. Financial Times, 12 September. 2019.

³² D. Anand, 'Colonization with Chinese characteristics: politics of (in) security in Xinjiang and Tibet, Central Asian Survey, vol. 38, no. 1, 2019.

³³ The policy is influenced by proponents of the blending of all ethnic groups into a unified state race (*guozu* 国族). In practice, this involves reducing the space for non-Han Chinese minorities to express their cultural identity. J. Leipold, 2018: 'Hu The Uniter: Hu Lianhe and the Radical Turn in China's Xinjiang Policy', *China Brief*, vol. 18, no.16, 10 October 2018.

³⁴ E. Barabantseva, 'Who Are "Overseas Chinese Ethnic Minorities"? China's Search for Transnational Ethnic Unity', *Modern China*, vol. 38, no. 1, 2012, p 82.

³⁵ Cheng, 2019, p. 241; Callahan, Chapter 4.

³⁶ F. Dikötter, *The Discourses of Race in China*, New York, Oxford University Press, 2015.

³⁷ Y. Cheng, 'Is Peking Man Still Our Ancestor? – Genetics, Anthropology, and the Politics of racial Nationalism in China', *The Journal of Asian Studies*, vol. 76, no. 3 (August) 2017, pp. 575-602.

³⁸ Cheng, 'Is Peking Man', p. 593.

tomb.³⁹ History and archaeology are strongly politicised subjects in China, with much research devoted to proving that the official narrative of the 5000-year-long history of Chinese civilisation and the existence of legendary dynasties is correct.⁴⁰

In a conversation between Xi Jinping and Donald Trump at the Imperial Palace in November 2017, broadcast on Chinese television, the two state leaders discussed Chinese history. Replying to a question by Trump as to whether the palace was in fact a part of their original culture, Xi explained to Trump that, "Yes, and we are also the original people. Black hair, yellow skin that we inherited. We call ourselves descendants of the dragon."41 As noted by Cheng, Xi Jinping used the words of a Taiwanese patriotic song of the 1980s. 42 Being Chinese, here, is primarily a set of physical attributes, such as black hair and vellow skin colour. "Descendants of the dragon" is used in a way that is similar to how the phrase "descendants of the Huang and Yan emperors" is used to show how all (Han) Chinese share a common heritage. Xi Jinping has even extended biological language to political identities. In order to recruit party lovalists, he has been using concepts such as "red DNA," or "red-blood lineage," and saying that the red gene needs to be verified.⁴³ A similar discourse even appears in official publications. China's recent white paper, China and the World in the New Era, published in September 2019, states, "It is not in the blood (xueye 血液) of the Chinese race to invade others and dominate the world."44

In other words, ethnic nationalism is deeply embedded in the mindset of many Chinese, including the CCP leadership. However, there are also more instrumental reasons for promoting ethnic nationalism. Race and ethnicity are strong identity-markers that can strengthen feelings of unity and belonging amongst the Chinese. Beijing has long pursued a nationalist policy as a way to strengthen domestic support for the regime. In recent years, Beijing has also increased nationalist propaganda directed towards the Chinese population overseas.

³⁹ Zhao, p. 241; Callahan, p. 104.

⁴⁰ E. Eckholm, 'In China Ancient History Kindles Modern doubts', *New York Times*, 10 November 2000, https://www.nytimes.com/2000/11/10/world/in-china-ancient-history-kindles-modern-doubts.html; Xinhua, ,纵横: 黄帝是中华和谐文化的创始者 [Huangdi is the founder of the harmonious Chinese culture], 4 April 2007, http://www.china.com.cn/culture/xxt/2007-04/04/content_8064087.htm.

⁴¹ The broadcast is accessible on YouTube: Central China Television, 'Xi: We call ourselves descendants of the dragon', 8 November 2017,

https://www.youtube.com/watch?time_continue=33&v=RpW83h_kc2E&feature=emb_title. It was also reported and discussed in international media: J. Hernández. and I. Zhao, 'Trump's Visit to China provides a propaganda Bonanza', *New York Times*, 10 November 2017,

https://www.nytimes.com/2017/11/10/world/asia/china-trump-visit-propaganda.html.

⁴² Cheng, 2019, p. 34.

⁴³ Cheng, 2019, p. 299.

⁴⁴ State Council of the PRC, 2019, 新时代的中国与世界 [White paper on China and the World in the New Era], Chapter 2, Paragraph 5, http://www.gov.cn/zhengce/2019-09/27/content_5433889.htm.; official English version, State Council of the PRC, *China and the World in the New Era*, September 2019: http://english.scio.gov.cn/2019-09/28/content_75252746.htm.

2.2 Who is, and who is not, Chinese?

According to the CCP, being Chinese requires Chinese heritage. While it is theoretically possible for foreigners without Chinese heritage to acquire Chinese citizenship, it is very hard and few have actually achieved it. The fact that China does not accept dual citizenship reduces the number of applicants, since to gain Chinese citizenship the applicant must first give up his/her other citizenship. According to the 2010 census, only 1.448 persons had become naturalised citizens in China.⁴⁵ China is also restrictive when it comes to accepting foreign migrants. By 2019, China had received a total of one million migrants, constituting 0.2 per cent of China's population.⁴⁶

People of Chinese heritage will find it much easier to acquire Chinese citizenship. In 2018, Beijing announced new visa rules, which further distinguished between those of Chinese heritage and those without. According to the new rules, overseas Chinese of foreign citizenship can apply for a multiple entry visa with a residency permit for up to five years. The policy included all Chinese, regardless of for how many generations they have lived abroad, and only requires one parent of Chinese heritage.47

The concept of Chinese heritage includes all those who have been born or have ancestors in China. This encompasses all of China's ethnic minorities and is not exclusive to Han Chinese. Thus, it follows the official policy of China as a multiethnic nation. However, scholarly work, as well as official publications, commonly equate overseas Chinese with Han Chinese. 48 It is only recently, in reaction to increasing ethnic tensions in Tibet and Xinjiang, 2008-2009, that the Chinese government has found it necessary to develop a policy for overseas Chinese ethnic minorities.49

Chinese heritage also includes Chinese children who have been adopted by foreign parents. Again, physical attributes are often emphasised to describe their Chineseness. In a ceremony for families with children adopted from China, the Consul General for China in San Francisco, Luo Linguan, said to the adopted children that, "... your black eyes, black hair and dark skin all remind you that you are Chinese."50

⁴⁵ Economist, Briefing, Who is Chinese?: The upper Han, 19 November 2016.

⁴⁶ UN Department of Economic and Social Affairs, 'International Migrant Stock 2019', Country Profile China:

https://www.un.org/en/development/desa/population/migration/data/estimates 2/countryprofiles.asp.

⁴⁷ J. Lo, 'Beijing's welcome mat for overseas Chinese' *The interpreter, Lowy institute*, 6 March 2018, https://www.lowyinstitute.org/the-interpreter/beijing-s-welcome-mat-overseas-chinese.

⁴⁸ Barabantseva, 'Who are', p. 82.

⁴⁹ Barabantseva, p. 83.

⁵⁰ L. Zhu, 'US adoptive families thanked for opening homes,' China Daily, 7 December 2015, http://www.chinadaily.com.cn/world/2015-12/07/content_22656291.htm.

There is among many Chinese an expectation that someone who looks Chinese should also be Chinese and understand China. When Gary Locke, the first US ambassador to China of Chinese descent left his position in 2014, he was scorned in an article from China News Service, the second biggest news agency after Xinhua. The article deplored Locke as a ". . . yellow-skinned white-hearted, banana man" – a description sometimes used to describe foreigners of Chinese descent who look Chinese, but have a white person's mind and heart. Locke, who does not speak Chinese, was also criticised as being unable to "understand the writing of his ancestors." The article indicated a remarkable disappointment over the fact that an American ambassador of Chinese descent behaved like other American ambassadors.⁵¹

China divides overseas Chinese into three main categories. Chinese nationals (including those from Hong Kong, Taiwan, and Macau) residing abroad are termed huagiao (华侨); Chinese naturalised abroad are referred to as huaren (华人); and those born abroad and of Chinese descent are called huayi (华裔).52 While the nationality law of 1980 clarified the judicial distinction between huagiao and huaren, it also emphasised that huaren, just because they hold a foreign passport, should not be treated as ordinary foreigners. Instead, China should respect their ethnic affinity to China. In practice, the Chinese government, in an effort to connect with all overseas Chinese, often lumped all categories together as 'overseas Chinese' and declared them part of the Chinese nation. Foreign governments criticised such wording and, in Southeast Asia, old concerns about the lovalty of their Chinese populations were voiced again.⁵³ While Beijing has officially tried to placate suspicion by asserting that it fully respects the difference between *huagiao* and *huaren*, ⁵⁴ internally they are treated the same. ⁵⁵ Statements by officials and policy practice often contradict the official policy of a clear demarcation between huagiao and huaren, which continues to arouse concern among foreign governments.56

The Chinese regime does not recognise dual nationality. Consequently, Chinese who acquire foreign citizenship are no longer Chinese nationals according to Chinese law. However, statements by the Chinese leadership emphasises the

⁵¹ P. Wang, '别了,骆氏家辉' [Farewell, Gary Locke], *China News Net*, 27 February 2014, http://www.chinanews.com/gn/2014/02-27/5892576.shtml#0-tsina-1-40808-

³⁹⁷²³²⁸¹⁹ff9a47a7b7e80a40613cfe1; the translations are from P. Boehler, 'Scorn and gratitude in China for departing US Ambassador Gary Locke', *South China Morning Post*, 28 February 2014: https://www.scmp.com/news/china-insider/article/1437062/scorn-and-gratitude-china-departing-us-ambassador-gary-locke.

⁵² J. To, *Qiaowu: Extra-territorial policies for the overseas Chinese*, Brill Academic Pub., 2014, p. 109. ⁵³ To, *Qiaowu*, pp.111-112.

⁵⁴ X. Wu, 'Huaren or huaqiao? Beijing respects the difference and is not coercing foreigners to toe its line', South China Morning Post, 7 October 2019; To, 2014, p.113.

⁵⁵ To, p. 111.

⁵⁶ More on these statements and practices in Chapter 4 - 6.

importance of bloodline and heritage. According to this view, belonging to the Chinese nation is decided by a person's ethnicity, rather than citizenship. All foreign nationals with Chinese heritage, no matter how many generations back, can be included in the Chinese nation. This perspective obscures the distinction between Chinese nationals abroad (*huaqiao*) and foreign nationals of Chinese heritage (*huaren*). It also contradicts the definition of a Chinese national in China's Nationality Law.

The Chinese diaspora

When China opened up for foreign investment in the early 1980s, the overseas Chinese were particularly targeted as important potential investors. Beijing called upon the overseas Chinese to actively contribute to the rejuvenation of China. In this respect, connecting with the overseas Chinese had an important economic element. It is estimated that up to 70 per cent of foreign direct investment inflows to China in the 1990s came from overseas Chinese.⁵⁷

In the 30 years that passed between the years after the revolution and China's opening up in 1979, emigration from China was limited. Consequently, huagiao only made up 5 per cent of the total overseas Chinese population in the late 1970s. 58 This demographic distribution would change dramatically as more and more Chinese left China to study and work abroad. The new immigrants that left China after 1979 were called xingiao (new migrants 新桥). Xingiao are often born, raised, and educated in China and maintain strong ties with the PRC. They generally do not see themselves as an ethnic minority, but as part of China overseas.⁵⁹

Estimates regarding the size of the Chinese diaspora differ, from 40 to 60 million. I use Poston and Wong's more conservative estimate of 40 million, which is based on statistics from the Taiwanese government. However, the Taiwanese statistics are from 2011, so we should assume that the actual figures for 2020 are higher.⁶⁰

Asia	29, 6			
Indonesia	8, 01			
Thailand	7, 51			
Malaysia	6, 54			
Singapore	2, 80			
Philippines	1, 24			
Americas	7, 50			
USA	4, 16			
Canada	1, 51			
Peru	0, 99			
Australia	0, 75			
Africa	0, 25			
Europe	2, 0			
Russia	0, 45			
France	0, 44			
UK	0, 41			
Sweden	0, 03			
	Source: Poston and Wong,			

'The Chinese diaspora'.

Figure 2: Geographical distribution of Chinese diaspora (million) 2011

⁵⁷ Z. Zhu, 'Two diasporas: Overseas Chinese and Non-resident Indians in Their Homelands' Political Economy', Journal of Chinese Political Science, no. 12, 2007, pp. 281-96.

⁵⁸ To, p. 109.

⁵⁹ To, p. 115.

⁶⁰ Poston and Wong, 2016. Because the subject of the Chinese diaspora is much politicised in mainland China, PRC statistics are problematic. A Chinese study from 2018 estimates the total Chinese diaspora as 60 million. X. Liao and J. Huang, '新时代开展华侨华人工作的路径探析' 中央社会主义学院学 援,10 May 2019, p. 130. According to official PRC statistics, overseas Chinese had reached 40 million by the end of the 20th century. 60 million is a figure often cited officially. For example, in 2017 Li Keqiang spoke of the 60 million overseas Chinese. B. An, 'Overseas Chinese can help build belt, road' China Daily 13 June 2017, http://www.chinadaily.com.cn/china/2017-06/13/content_29719481.htm.

The majority of the individuals are descendants of migrants who left China in the 19th and early 20th centuries in search of work. An estimated 30 million live in Asia, mainly in Thailand, Indonesia, and Malaysia. In Singapore, the 2.8 million ethnic Chinese constitute almost three-quarters of the 4 million-strong resident population. In addition, those Chinese who left China after Deng Xiaoping began to allow Chinese citizens to travel abroad in the early 1980s thus count as Chinese migrants; they number about 10.7 million, of whom 3.2 million are defined as refugees. A majority of these migrants live in wealthy Western countries. In contrast to the earlier migrants, who were mainly poor people in search of a better future, many of the new migrants are well-educated and come from middle-class or even rich backgrounds. They go to the West in order to get an expensive Western education or to work in well-paying jobs. Of the 4 million who have left China to study abroad, two million have returned.

The old and new migrants, while sharing a Chinese heritage, have very different life experiences growing up in different countries. Chinese who have lived in an area for generations express a need to distance themselves from the newcomers (*xinqiao*).⁶⁴ In contrast to the new migrants, Beijing realises that many *huaren* strongly identify with their country of residence and may not even speak Chinese. Consequently, the Chinese state aims to strengthen their ethnic pride "through immersion in Chinese culture, stories, legends, and other forms of propaganda disseminated in a variety of languages."⁶⁵ Members of the Chinese diaspora are divided in their relation to China. There has been a strong trend of Sinicisation, and an acceptance and embrace of Chineseness among many ethnic Chinese in Southeast Asia. China's engagement with the diaspora has served to strengthen this trend. However, a parallel trend of de-Sinicisation is taking place, where many in the Chinese diaspora increasingly identify with their compatriots and less with their Chinese heritage and China.⁶⁶

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⁶¹ Poston and Wong, 'The Chinese'; E. Han, 'Bifurcated homeland and diaspora politics in China and Taiwan towards the Overseas Chinese in Southeast Asia', *Journal of Ethnic and Migration Studies*, vol. 45, no. 4, 2019, p. 582; X. Hong, 'How China's 19th century crises shaped the Chinese diaspora in multiracial Singapore', *South China Morning Post*, 18 August 2019.

⁶² UN Department of Economic and Social Affairs, International Migrant Stock 2019, Country profile China.

https://www.un.org/en/development/desa/population/migration/data/estimates2/countryprofiles.asp.

⁶³ Economist, 'Who is Chinese?'; G. Zhuang, 全球化时代中国海外移民的新特点 [New features of Chinese overseas immigrants in the era of globalization], 学术前沿 [Academic frontier], April 2015.

⁶⁴ Hong L., 'New migrants and the arrival of overseas Chinese nationalism', *Journal of Contemporary China*, vol. 14, no. 43, 2005, pp. 291-316.

⁶⁵ To, p. 116.

⁶⁶ Hong L., 'New migrants'. Sinicization here refers to identification and should be distinguished from the Party-state's idea of Sinicization (中国化).

3.1 China's diaspora policies in international comparison

Diaspora statistics become problematic as soon as several generations are included, since people's ethnicity, in many cases (for good reason), is not registered. Official United Nations (UN) statistics are based on migration. According to the UN, India has the largest diaspora, with 17.5 million, followed by Mexico (11.8), China (10.7), and Russia (10.5).⁶⁷ However, when the definition of diaspora is expanded to include people who are descendants from the country of origin, Germany is estimated to have the largest diaspora, with 95 million, followed by Ireland (70 million), and China (40 million).⁶⁸

In recent years, the number of states that accept dual citizenship has surged. By 2018, 75 per cent of the world's states accepted dual citizenship, up from 55 per cent in 2000.⁶⁹ While democracies are more likely to accept dual citizenship than non-democracies, many semi-democratic or non-democratic states accept dual citizenship, including Russia. Conversely, democracies that do not accept dual citizenship, such as India, remain.

In 2004, there was a debate among scholars and policymakers on whether China should accept dual citizenship. In June 2005, Chen Yujie, director of the Overseas Chinese Affairs Office (OCAO), confirmed that China would stick with not recognising dual citizenship. According to an article in *People's Daily*, in 2005, demands for recognition of dual citizenship generally come from overseas Chinese living in the West. In Southeast Asia, where the majority of the Chinese diaspora lives, the prevalent attitude is that China should not allow dual citizenship, since they fear that it would increase suspicion towards them: their loyalty towards their country of residence could be questioned. Rather than easing the rules on dual nationality, the Chinese authorities have in recent years increased efforts to ensure that Chinese passport holders actively surrender their Chinese passports when they obtain a foreign passport. Similarly to China, India does not recognise dual citizenship, but for different reasons. Rather than reacting to suspicions of dual loyalty in host countries, as in the Chinese case, an important reason is domestic

⁶⁷ UN Department of Economic and Social Affairs, statistics on international migration 2019, https://www.un.org/en/development/desa/population/migration/data/estimates2/estimatesgraphs.asp?3g3

⁶⁸ Poston and Wong. Note, however, that Poston and Wong refer to separate sources that may calculate diaspora differently.

⁶⁹ M. Vink, A. Schakel, D. Reichel, N. Luk, G. de Groot, 'The international diffusion of expatriate dual citizenship', *Migration studies*, vol. 7, no. 3, 2019, pp. 362-386.

⁷⁰ L. Suryadinata, *The rise of China and the Chinese overseas*, Singapore, ISEAS, 2017, p. 31.

⁷¹ People's Daily, 'Not recognizing dual nationality is for the sake of most overseas compatriots', 9 June 2005, http://en.people.cn/200506/09/eng20050609_189401.html.

⁷² K. Huang, 'Entry denied: the identity crisis facing China's covert dual passport holders', *South China Morning Post*, 24 February 2018, https://www.scmp.com/news/china/policies-politics/article/2134570/entry-denied-identity-crisis-facing-chinas-covert-dual.

politics connected to India's democratic system of government. The Indian diaspora originates disproportionally from certain Indian states. Giving voting rights to the diaspora would therefore result in a change in the balance of power, nationally, as well as within those states.⁷³

Ethnic nationalism also forms an important part of India's diaspora politics. This has been exacerbated after Modi's ascent to power, in 2014, and his promotion of Hindu nationalism. In contrast to the Nehruvian nationalist narrative, which had a strong territorial character, Modi's Hinduising of India deterritorialises Indianness. The Indian nation, too, is conceptualised in terms of ethnicity (and religion) rather than territory. This also means that diaspora management has become an important aspect of government policy. Hoth China and India aim to cultivate an emotional bond to the motherland. However, the nature of the two regimes, democratic vs authoritarian, is an important factor in understanding both the differences in how these regimes treat their diaspora, as well as how the receiving nation perceives its cultivation.

Regime type matters for how much political influence a diaspora can assert in their country of residence. Using India and China as case studies, Mirilovic argues that it is only diasporas from, and residing in, democracies who can exert influence on the cooperative political ties between the two countries. Hence, Indians in the United States (US) are far more active in strengthening Indian–US political relations than the Chinese are in affecting US–China political relations.⁷⁵

Returning to Glasius' theoretical framework, presented in Chapter 1, it is worth repeating that because the authoritarian state does not consider its internal population as citizens with rights, it cannot extend any citizenship rights to a population living abroad. In the same way that democratic governments accept that a part of the population does not support the government, it generally does not expect its diaspora to express loyalty to the particular government in power. Authoritarian regimes, in contrast, tend to engage in 'loyalty conflation.' They omit the differences between people, state, nation, and government and conflate them into a discourse of national loyalty. In the Chinese case, the Communist Party must be added to the list of conflated concepts, together with nation and state. Opposition to the Party, be it from foreigners or overseas Chinese, is framed by the Party as opposition to China. This enables the Party to brand its overseas

⁷³ K. Lum, 'Operationalising the highly skilled diasporic transnational family: China and India's transnational governance strategies', *Diaspora studies*, vol. 8, no. 1, 2015, p. 55.

⁷⁴ Lum, 'Operationalizing'.

⁷⁵ N. Mirilovic, 'Regime type and diaspora politics: a dyadic approach', *Foreign Policy Analysis*, 14, 2018, p. 357.

⁷⁶ Glasius, p. 180.

⁷⁷ E. Dalmasso et al., Intervention: extraterritorial authoritarian power', *Political Geography*, 64, 2018, p. 96.

Chinese opponents as traitors, and to accuse those foreigners who criticise how the Party treats its population of being China-bashers.⁷⁸

Authoritarian states use a plethora of methods to control their diaspora. Moss lists a typology of strategies to deter and intimidate opposition groups in the diaspora. These include lethal retribution (assassinations), threats, surveillance, exile (banishment from the home country), withdrawing scholarship, and proxy punishment (intimidation of relatives). To these methods can be added abductions on foreign soil. Note, however that these methods have also, in certain circumstances, been used by some democracies.

Hence, in many ways, China's approach to its diaspora is similar to that of other authoritarian regimes. What makes China stand out, apart from the size of its diaspora, is the extent and level of organisation of the work its approach entails. ⁸⁰ What is referred to as overseas Chinese affairs (*qiaowu* 侨务) involves a coordinated effort by multiple levels of party and state bureaucracies, diplomatic channels, and non-governmental organisations represented in major cities all over the globe. ⁸¹ This interaction is further described in Chapter 4, which follows.

⁷⁸ X. Wang, 'The question'; Economist, 'Briefing' 2016.

⁷⁹ D. Moss, 'Transnational repression, diaspora mobilization, and the case of the Arab spring', *Social Problems*, 63, 2016, p. 485.

⁸⁰ Lum, p. 62.

⁸¹ To, p. 4.

4 Diaspora relations under Xi Jinping

In recent years, China has become a major power in international relations, influencing all corners of the world. At the same time, Chinese foreign policy has in some respects become more assertive. The combination of a strong focus on race and ethnicity, with a more assertive foreign policy, has profound security consequences outside China. This chapter analyses how the Chinese government's policy on overseas Chinese has developed since Xi Jinping came to power.

Since his ascent to General Secretary of the CCP in 2012, Xi Jinping has gradually strengthened his power over the Party. In 2018, his grip on power was confirmed by a change in the constitution that scrapped the term limit for the position of state chairperson ($guojia\ zhuxi\$ 国家主席), which allows for Xi to maintain his leadership for as long as he lives. ⁸² Xi has simultaneously increased the Party's control over society and silenced the already limited space for dissenting ideas by strengthening censorship and suppressing civil society. ⁸³ Under Xi's reign, the Chinese regime has become more authoritarian.

As described in Chapter 2, in 2014 Xi Jinping further emphasised the assimilationist ethnic policy, which has reduced the space for ethnic minorities to express their own cultural identities. In addition, observers note that nationalism in China has increased since Xi came to power. 84 Thus, we see an increasingly authoritarian China, with a stronger emphasis on ethnic nationalism.

It has also become increasingly clear that China has left, or at least adjusted, its previous careful foreign policy strategy, which was inspired by Deng Xiaoping.⁸⁵ Today, official discourse and practical actions show that China has raised its previously low-profile foreign policy significantly.⁸⁶

⁸³ J. Teets and O. Almén, 'Advocacy under Xi: NPO strategies to influence policy change, *Nonprofit Policy Forum*, vol. 9, no. 1, 2018.

⁸² State Chairperson is commonly translated as 'President'.

⁸⁴ S. Tsang, 'Party-state Realism: a framework for understanding China's approach to foreign policy', Journal of Contemporary China, July 2019 https://doi.org/10.1080/10670564.2019.1637562.

⁸⁵ There has been a debate as to what extent China's foreign policy had become more assertive even before Xi Jinping came to power. See A. Johnston, 'How New and Assertive is China's New Assertiveness?', *International Security*, vol. 34, no. 4, 2013, pp. 35-45; B. Jerdén, 'The assertive China narrative: Why it is wrong and how so many still bought into it', *The Chinese Journal of International Politics*, 2014, pp. 47-88; D. Chen and J. Wang, 'Lying low no more? China's new thinking on the tao guang yang hui strategy, *China: An International Journal*, vol. 9, no 2, 2011, pp. 195-216.

⁸⁶ Poh and Li suggest that China under Xi's rule is in a transitory phase, moving towards a more assertive foreign policy, but has not completely abandoned the lying-low policy. A. Poh and M. Li, 'A China in transition: The rhetoric and substance of Chinese foreign policy under Xi Jinping', *Asian Security*, vol. 13, no. 2, 2017, pp. 84-97.

Xi Jinping has declared that it is now time for China to step up and take a greater role in global politics. In his speech at the 19th Communist Party Congress, in 2017. Xi said that China will be "moving closer to center stage and making greater contributions to mankind." 87 A number of strategic actions confirm China's ambition to become a more powerful and active global power. These activities include the Belt and Road Initiative (BRI), the establishment of the Asian Infrastructure Investment Bank (AIIB), development of the first Chinese overseas military base, in Diibouti, the expansion of military installations and manmade islands in the South China Sea, and the vision, 'Made in China 2025,' which aims to make China a leading technological power.⁸⁸ China has also increased efforts to strengthen its cultural and political influence by expanding overseas operations of Chinese media, establishing Confucius Institutes abroad, and using the Chinese diaspora to gain political influence in democracies, 89 China is furthermore expanding its influence in the UN. Under Xi Jinping, China has increased its funding to the UN and is now the second largest contributor. China has also managed to secure many leading roles for its diplomats. 90

In order to maintain its economic growth and development, China has steadily increased its integration with the world economy. China's need for raw materials and energy has made it dependent on imports from regions such as Africa and the Middle East. The Beijing leadership considers domestic development a core national interest, as it directly relates to the CCP's ability to stay in power. Hence, securing access to raw materials and energy in areas far from China is a matter of national security. Because domestic politics and development in the countries within China's sphere of interest matter for China, it has become a more active player in these countries.

As more Chinese companies and organisations are established abroad, Chinese workers come with them. The Chinese state is committed to maintaining the safety of its interests and citizens abroad. Again, the question of which overseas Chinese are included in China's sphere of interest is not always clear. As noted by Kania and Wood, the official English version of China's 2019 national defence white paper states that the Chinese military's mission abroad includes "... effectively protect[ing] the security and legitimate rights and interests of *overseas Chinese people*, organizations and institutions' (emphasis added)." However, in the

⁸⁷ China Daily, 'Xi pledges 'new era' in building moderately prosperous society', 19 October 2017, chinadaily.com.cn/china/2017-10/19/content_33428169.htm.

⁸⁸ J. Zhou, 'China's core interests and dilemma in foreign policy practice', *Pacific Focus*, vol. 14, no. 1, 2019, pp. 31-54.

⁸⁹ M. Pei, 'China in Xi's "New Era": A play for global leadership, *Journal of Democracy*, vol. 29, no. 2, 2018, pp. 37-51.

⁹⁰ Economist, 7 December 2019, 'In the UN, China uses threats and cajolery to promote its worldview', https://www.economist.com/china/2019/12/07/in-the-un-china-uses-threats-and-cajolery-to-promote-its-worldview.

⁹¹ Tsang.

Chinese version, the wording is *haiwai zhongguo gongmin* (海外中国公民), which translates to "overseas Chinese citizens." To distinguish between Chinese people and Chinese citizens is important, as the present study has repeatedly emphasised. It is unclear, however, whether the different wording of the two versions of the white paper is intentional or simply a result of bad translation.

The extraterritorial practices analysed in this study show how China is extending its control and influence over Chinese with foreign citizenship. Crucial in this process has been the expansion of overseas Chinese affairs work.

4.1 Overseas Chinese affairs work

Beijing has declared overseas Chinese to be important actors in China's development. Overseas Chinese are seen as useful in working for China's integration in the world, for reunification with Taiwan, and as promoters of Chinese soft power. It was always PRC's intention to gain the support of the overseas Chinese and use them as a resource for China's national interest.⁹³ Over time, the direction of PRC overseas Chinese policy has been formed by national interests, diplomatic rivalry with Taipei, and suspicions of Chinese political interference from mainly Southeast Asian countries.⁹⁴ As China's economic might has grown, so has its influence in the overseas Chinese communities. Beijing has now overtaken Taipei's once dominant relationship with the overseas Chinese.⁹⁵

Since Xi Jinping came to power, the work of engaging the Chinese diaspora has intensified, with much of it being done through the United Front Work Department (UFWD), which is the Party's branch responsible for China's influence operations. ⁹⁶ In May 2015, Xi Jinping headed the first national united front work conference in nine years. ⁹⁷ He has elevated the importance of the UFWD and put himself in charge of the leading small group that oversees its work. ⁹⁸ In recent years, it has expanded its target groups so that not only overseas-based Chinese

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⁹² E. Kania and P. Wood, 'Major themes in China's 2019 National Defence White Paper', *China Brief*, vol. 19, no. 14, 2019; PRC State Council, *China's National Defense in the New Era*, July 2019, http://www.xinhuanet.com/english/2019-07/24/c_138253389.htm.

⁹³ To, p. 281.

⁹⁴ To, p. 227.

⁹⁵ To, p. 157.

⁹⁶ T. Suzuki, 'China's united front work in the Xi Jinping era – institutional developments and activities', *Journal of Contemporary East Asia Studies*, vol. 8, no. 1, 2019, pp. 83-98.

⁹⁷ A. Brady, 'Magic Weapons: China's political influence activities under Xi Jinping', Conference paper, Wilson Center, 2017, p. 69, https://www.wilsoncenter.org/article/magic-weapons-chinas-political-influence-activities-under-xi-jinping; Xinhua News, 习近平: 巩固发展最广泛的爱国统一战线 [Xi Jinping: Consolidate and develop the most extensive patriotic united front], 20 May 2015, http://www.xinhuanet.com//politics/2015-05/20/c_1115351358.htm.

⁹⁸ D. Thompson, 'From Singapore to Sweden, China's overbearing campaign for influence is forcing countries to resist and recalibrate relations with Beijing', South China Morning Post, 7 November 2019.

dissidents, but also Western elites, are included, in order to strengthen the CCP's legitimacy abroad.⁹⁹

The most important institution for overseas Chinese affairs work is the Overseas Chinese Affairs Office (OCAO). 100 After a government reshuffle in 2018, the Overseas Chinese Affairs Office of the State Council came under the purview of the UFWD. This move is a sign of the importance Xi Jinping ascribes to overseas Chinese affairs. 101

Overseas Chinese affairs work (*qiaowu*) is a comprehensive strategy that involves the Chinese state and Party organs at all administrative levels, both domestically and internationally. It is an important component in advancing Beijing's foreign policy. ¹⁰² Provincial and local governments have their own policy documents specifying how local *qiaowu* should be conducted. Chinese embassies and consulates all over the world are deeply involved in implementing *qiaowu* policies. James To, a New Zealand-based researcher, conducted an extensive study of overseas Chinese affairs, which he published as a book, entitled *Qiaowu*. According to To:

... qiaowu can be described as a massive operation involving incorporation and cooptation of the OC at every level of society, and managing their behaviour and perceptions through incentives or disincentives to suit the situation and structural circumstances that the CCP desires. ¹⁰³

Through in-depth study of official documents, he has mapped the strategies and methods of the OCAO. Ironically, these strategies are all spelled out in the documents, such as handbooks for *qiaowu* workers. The documents even contain instructions to OCAO officers on how to avoid being seen as trying to influence overseas Chinese. As he shows, however, these aspects are not revealed to the overseas Chinese and it is important that the true purpose of *qiaowu* be not released to the public, as it could damage the policy's public face, which is 'service.' ¹⁰⁴

OCAO officers use a combination of methods, from offering stipends, jobs, and housing upon returning to China, to bullying. Oftentimes, members of the Chinese diaspora are not even aware that they are being subject to such influence activities. Many collaborate freely, while others require more pressure in order to cooperate. 105

⁹⁹ J. Anderlini and J. Smyth, 'West grows wary of China's influence game', *Financial Times*, 19 December 2017, https://www.ft.com/content/d3ac306a-e188-11e7-8f9f-de1c2175f5ce.

¹⁰⁰ H. Liu and E. van Dongen, 'China's diaspora policies as a new mode of transnational governance', Journal of Contemporary China, vol. 25, no. 102, 2016, p. 809.

¹⁰¹ P. Wen, 'China strengthens global influence agency in government reshuffle', *Reuters*, 21 March 2018, https://www.reuters.com/article/china-parliament-influence/china-strengthens-global-influence-agency-in-government-reshuffle-idINKBN1GX189.

¹⁰² To, p. 286.

¹⁰³ To, p. 47.

¹⁰⁴ To, p. 53.

¹⁰⁵ To, p. 44-45.

4.1.1 Promoting Beijing's view of 'Chineseness'

One of the tasks that *qiaowu* is charged with is to strengthen "Chineseness' and ethnic affinity amongst the overseas Chinese." This involves constructing and projecting Beijing's own ideal of Chinese cultural identity for overseas Chinese to gain their support and political loyalty. As described in Chapter 2, the CCP's nationalistic image of 'Chineseness' involves ideals of common biological traits, culture and history, and of a unified China. As part of its soft power policy, Beijing spares no effort in spreading its definition of 'Chineseness' to the overseas Chinese. The CCP uses multiple channels to reach deep into overseas Chinese communities around the world. 107

The PRC has increased its influence over overseas Chinese schools. Many existing overseas Chinese schools receive funding, teaching materials and staff from China. This gives the PRC a chance to replace the previously Taiwan-dominated system of overseas Chinese schools with a PRC-friendly version of 'Chineseness'. 108

Since 2004, China has established Confucius Institutes abroad in order to promote Chinese culture and language. The institutes, which generally are connected to academic institutions in the host country, also function as gathering points for other overseas Chinese activities, such as cultural events and venues for officials to meet with members of the overseas Chinese community. ¹⁰⁹ According to official figures, by 2020 there were 542 Confucius Institutes worldwide. ¹¹⁰ A recent study found that the tone in media reports about China improved significantly in places with active Confucius Institutes compared to places where institutes had not yet opened. ¹¹¹ The institutes have been criticized for promoting the CCPs version of Chinese history and interfering in teaching in Western universities. In recent years, citing questions of academic freedom and risks of espionage, many universities in Western countries have closed Confucius Institutes. ¹¹²

Another target for *qiaowu* work is religious groups. The State Council estimates that more than half of overseas Chinese are religious. *Qiaowu* cadres have been instructed to infiltrate overseas Chinese church groups in order to influence them.

¹⁰⁶ To, p. 47.

¹⁰⁷ To, Chapter 5 and 6.

¹⁰⁸ To, p. 143

¹⁰⁹ To, p. 141.

Some Confucius Institutes that have been closed were still listed as active in the official list. Hanban, Confucius Institute Headquarters, 'Confucius Institute/Classroom', http://english.hanban.org/node_10971.htm. Accessed 2 March 2020.

¹¹¹ S. Brazys and A. Dukalskis, 'Rising Powers and Grassroots Image Management: Confucius Institutes and China in the Media', *The Chinese Journal of International Politics*, 2019, pp. 557-584.

¹¹² L. Luqiu and J. McCarthy, 'Confucius Institutes: The Successful Stealth "Soft Power" Penetration Of American Universities, *Journal of Higher Education*, vol. 90, no. 4, 2019, p. 621.

Church activities can also strengthen relations to non-Chinese and work as a platform to spread China's soft power. 113

China has during the last decade dramatically expanded its effort to influence international media. In a report for Freedom House, Sarah Cook notes that under Xi Jinping's direction, this work has become more aggressive and comprehensive. Recent changes in CCP's efforts to influence media outlets and news consumers abroad include social media disinformation campaigns, gaining influence over crucial parts of some countries' information infrastructure, and politicized content manipulation to favor pro-Beijing narratives in Chinese-owned social media platforms. The cooptation and marginalization of independent diaspora news outlets and censoring of critical views on, for example WeChat, have reduced the Chinese diaspora's access to unbiased information about events in China. 114 An estimated 100-200 million people outside China use WeChat. In Malaysia, out of a population of 31 million, 20 million are WeChat users. 115 In the United States, Beijing dominates the cable television market directed towards Chinese Americans. The Chinese state controlled CCTV and Hong Kong pro-Beijing Phoenix TV are available to far more households than proindependence Taiwanese station ETTV and US-based NTDTV.116

4.1.2 Reconnecting with the ancestral homeland

One important part of *qiaowu* work involves strengthening overseas Chinese' sense of belonging to China. Central and local governments in China have been running "root seeking" tours (*xungen* 寻根) for overseas Chinese for 40 years. The tours are directed towards foreign nationals of Chinese descent who wants to understand the homeland of their ancestors. The tours involve visiting the participants' ancestral villages, and rebuilding ancestral halls. From the perspective of the Chinese organisers, the tours serve both to develop local economy and to promote a positive image of China. ¹¹⁷

Some activities specifically target young overseas Chinese. Each year, tens of thousands overseas Chinese youth participate in state-funded root-seeking camps. The OCAO sees the camps as a way to improve the participants' image of China and the CCP, and raise their patriotic spirit. From its start, 300 000 youth from 113 countries and regions have attended the camps. According to one OCAO

¹¹³ To, pp. 149-150.

¹¹⁴ S. Cook, 'Beijing's Global Megaphone: The Expansion of Chinese Communist Party media Influence since 2017, Freedom House, Special Report, January 2020, https://freedomhouse.org/report/specialreports/beijings-global-megaphone-china-communist-party-media-influence-abroad, pp. 1-2.

¹¹⁵ Cook, 'China's Global', p. 18.

¹¹⁶ Cook, p. 23

¹¹⁷ To, p. 161.

¹¹⁸ To, p. 170.

official, after attending the summer camps, "many children who were unwilling to acknowledge their Chinese descent firmly told their parents, "after participating in this event, I am proud of being a member of the Chinese nation!" (我为自己是中华民族的一员而感到骄傲). " ¹¹⁹ However, others argue that the camps have achieved only limited results and that overseas Chinese youth tend to hold on to their foreign national identities. ¹²⁰

Overseas Chinese affairs work is an integral part of China's foreign policy. The work to mobilise overseas Chinese as a force to promote China's interests abroad has intensified under Xi Jinping. The following chapter describes CCP's efforts to mobilise overseas Chinese and gain political influence in the countries in which they reside.

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¹¹⁹ J. Teng, 感知文化魅力,凝聚血脉亲情[Perceive the charm of culture, agglomerate bloodline relations], 侨务评说, no. 4, 2018, http://qwgzyj.gqb.gov.cn/qwps/201/3065.shtml.

¹²⁰ To, p. 171; A. Kuhn, 'China tries to woo a sprawling global Chinese diaspora', NPR, 29 October 2018, https://www.npr.org/2018/10/29/659938461/china-tries-to-woo-a-sprawling-global-chinese-diaspora.

5 Mobilising patriotic support for the Party's policies

One of the tasks of overseas Chinese affairs work is to mobilise international support for CCP policies. This is done through contacts between Chinese government officials and members of the Chinese diaspora. Xi Jinping said, in August 2018, that overseas Chinese should "remember the call from the Party and the people," and "spread China's voice." ¹²¹ Supporting the Party's policies includes everything from promoting a positive image of the BRI and Chinese companies, such as Huawei, and promoting the official version of the situation in Xinjiang and Tibet, to opposing the protesters in Hong Kong, Taiwanese independence, or the Falun Gong. The present chapter, starting from Glasius' framework of authoritarian extraterritorial rule, analyses the Chinese government's legitimation strategy towards the Chinese diaspora. The Party expects overseas Chinese to be *patriotic* and loyal to their ancestral homeland.

Overseas Chinese around the world are encouraged both to participate in rallies and events that support CCP policies and to counter protests that go against Beijing's wishes, such as those in support of protesters in Hong Kong or human rights in Tibet and Xinjiang. ¹²² Such regime-supporting activities are often organised in collaboration with organisations such as the local Chinese Students and Scholars Association (CSSA), or the Peaceful Reunification of China Association (PRCA). These organisations are formally autonomous, but are closely connected to the PRC authorities. ¹²³

Hamilton cites a number of cases where Australian-Chinese engaged in the Australian Chinese Associations have been actively campaigning for China's political interests in demonstrations held in coordination with the Chinese embassy. 124 The Australian CSSA, which promotes itself as an autonomous group, has been found to have strong links to the Chinese embassy there. Perusal of the CSSA's founding documents reveals that the association is expected to assist the embassy, which also contributed partial funding to the organisation. Since most Chinese students in Australia are part of the CSSA, this gives the embassy a direct

¹²¹ China Daily, 'Top concern: happiness of compatriots', 30 August 2018, http://en.people.cn/n3/2018/0830/c90000-9495358.html.

¹²² C. Chan, 'Overseas Chinese urged to be more vocal in support of Beijing, says Chinese cultural historian', Vancouver Sun, 20 August 2019; C. Hamilton, Silent Invasion: China's influence in Australia, Melbourne, Hardie Grant, 2018.

¹²³ Brady, 'Magic Weapons', p. 16.

¹²⁴ Hamilton, Silent Invasion.

link to the lives of Chinese students. ¹²⁵ Similar reports appear from America, where the CSSA has been established at more than 150 US universities. ¹²⁶

In Europe, where over 300 CSSAs have been established, Chinese embassies have used CSSAs to pressure universities on politically sensitive topics, such as inviting speakers critical of the Chinese government. The CSSAs also report to Chinese embassies on Chinese students taking part in activities that the Chinese government considers sensitive. ¹²⁷

5.1 Influencing domestic politics in foreign states

A more controversial form of influencing is to directly contact Western elites in order to gain direct access to policymaking. Ann Marie Brady, an expert on Chinese propaganda and influence operations, has warned of China's increasing political influence in New Zealand politics, and refers to a number of cases where such influence has occurred. 128 Similar concerns have been voiced about Canadian politicians with ties to the United Front. 129 In Australia, there have been numerous revelations in recent years of Chinese political influence operations that have been directly targeting Australian politicians. Chinese businesspersons linked to the CCP have become the largest donors of two of the largest political parties in Australia. 130 Because of such revelations, in June 2018 the Australian parliament passed the Foreign Influence Transparency Scheme Act. 131 Cases of suspected CCP influence have even involved national legislators. In 2017, Sam Dastyari had to resign as senator because of his close connections with Huang Xiangmo, a businessman and political donor with connections to the CCP. ¹³² In 2019, it was revealed that Gladys Liu, the first Chinese-Australian national parliamentarian, had been honorary chairperson of the World Trade United Foundation (WTUF).

¹²⁵ Christodoulou, M. (et al), 'Chinese Students and Scholars Association's deep links to the embassy revealed', ABC News, 4 November 2019, https://www.abc.net.au/news/2019-10-13/cssa-influence-australian-universities-documents-revealed/11587454.

¹²⁶ Economist, 'Briefing, Chinese students in America: The new red scare', 4 January 2020, p.16.

¹²⁷ T. Benner, J. Gaspers, M. Ohlberg, L. Poggetti, K. Shi-Kupfer, 'Authoritarian Advance: Responding to China's Growing Political Influence in Europe', *GPPi/Merics*, February 2018, https://www.merics.org/sites/default/files/2018-02/GPPi_MERICS_Authoritarian_Advance_2018_1.pdf.

¹²⁸ Brady.

D. Bramham, 'Concerns raised about Chinese interference in Canada's fall election', Vancouver Sun, 4 April 2019. https://vancouversun.com/opinion/columnists/daphne-bramham-concerns-raised-about-chinese-interference-in-canadas-fall-election.

¹³⁰ Anderlini and Smyth, 'West grows'.

¹³¹ Australian Government, Federal Register of Legislation, Foreign Influence Transparency Scheme Act 2018, https://www.legislation.gov.au/Details/C2019C00133.

¹³² Hamilton, p. 85.

WTUF is a Hong Kong-based organisation, with officeholders closely tied to pro-Beijing politicians in Hong Kong. ¹³³

Other cases of China's increasing influence over Australian politics, business, culture, and academia have been well documented.¹³⁴

Expressions of worry about CCP influence similar to those expressed in Australia have been voiced in the US. Chinese students in America have reported that they are afraid of stating opinions that counter the Party's official line. They know that fellow students may be monitoring them and that they risk being reported to Chinese authorities. US authorities have responded by making it tougher for students to obtain and prolong visas and easier to be sent back to China. The many reports of Chinese influence in some countries have had consequences for people of Chinese descent. Chinese Americans describe how they are increasingly being depicted as possible fifth columns, simply based on their ethnicity. The

5.1.1 Engaging the overseas Chinese community in Southeast Asia

The large Chinese diaspora has historically been a source of tension between Beijing and the governments in Southeast Asia. During the Cultural Revolution, the Party actively supported communist insurrections, with tensions that resulted in a number of pogroms against ethnic Chinese in Indonesia (1965) and Malaysia (1969). After China changed from Mao's ideological radicalism to pragmatism under Deng Xiaoping, relations improved, but China was careful not to arouse suspicion from Southeast Asian governments. While encouraging the diaspora to build closer ties with China, especially in business, Beijing always stayed clear of statements that could be perceived as meddling in domestic affairs. During the 1998 anti-Chinese riots in Indonesia that resulted in thousands dead and 168 reported rapes of mainly ethnic Chinese women, ¹³⁷ the Chinese government remained conspicuously silent and refrained from criticising the Indonesian government, despite pressure from an upset domestic opinion. ¹³⁸ After 1998,

¹³³ G. Groot, 'Inside China's vast influence network – how it works, and the extent of its reach in Australia', *The Conversation*, 11 September 2019, http://theconversation.com/inside-chinas-vast-influence-network-how-it-works-and-the-extent-of-its-reach-in-australia-119174.

¹³⁴ Anderlini and Smyth; Hamilton.

¹³⁵ Economist, 'Briefing', p. 13.

¹³⁶ P. Waldman, 'As China Anxiety Rises in the US., Fears of New Red Scare Emerge', *Bloomberg*, 31 December 2019.

¹³⁷ N. Osman and U. Haryanto, 'Still no answers, or peace, for many rape victims', *Jakarta Globe* 14 May 2010, https://web.archive.org/web/20100904160043/http://www.thejakartaglobe.com/national/still-no-answers-or-peace-for-many-rape-victims/374845.

¹³⁸ Suryadinata, 'The Rise of China', p. 64.

China reassessed its policy towards overseas Chinese in trouble and declared that it had an obligation to protect overseas Chinese. 139

Singapore is the only state in Southeast Asia where ethnic Chinese are the majority (75 per cent are ethnic Chinese), but that has not resulted in an unproblematic relationship with China. Singapore has often felt the need to clarify that although Singapore is dominated by ethnic Chinese, they are very different from the Chinese in the PRC. Worried voices have been raised in Singapore against what has been perceived as an increase in Chinese influence operations in recent years. ¹⁴¹

5.1.2 Chinese ambassador's involvement in Malaysian domestic politics

In September 2015, demonstrations targeting Malaysia's Chinese minority erupted. A few days later, in a visit to Kuala Lumpur's Chinatown, PRC Ambassador Huang Huikang held a speech that attracted the attention of local and international media. In the speech, he said that China, "... will not stand by idly as others violate the national interests of China, infringe upon the legal rights of Chinese citizens and companies, undertake illegal behavior that impedes the friendly relations between China and the local country in question." ¹¹⁴²

The Malaysian government reacted by summoning the ambassador to explain himself, but no statement was released. Beijing did, however, offer support for the ambassador and said that it was perfectly normal for him to visit Chinatown. Three days after the visit to Chinatown, the ambassador again held a speech in which he said that "overseas *huaqiao* and *huaren*, no matter where you go, no matter how many generations you are, China is **forever** your warm 'maternal home' (niang jia 娘家)!"¹⁴³ Media and politicians in Malaysia claimed, however, that the action constituted interference in Malaysian domestic affairs. An editorial in the Chinese language Malaysian newspaper, *Sin Chew Jit Poh*, criticised the ambassador. Specifically, it said that Malaysian Chinese do not want to be called *huaqiao*,

¹⁴⁰ The corresponding figures for Malaysia is 23 percent, Thailand 14 percent, and Indonesia 3 percent. Malaysia Department of statistics, 'Current population estimates', Malaysia 2018-2019, https://www.dosm.gov.my/v1/index.php?r=column/cthemeByCat&cat=155&bul_id=aWJZRkJ4UEdKcUZpT2tVT090Snpydz09&menu_id=L0pheU43NWJwRWVSZklWdzQ4TlhUUT09; World population review, Thailand, https://worldpopulationreview.com/countries/indonesia-population/.

¹³⁹ To. p. 234.

¹⁴¹ R. Hsiao, 'A Preliminary Survey of CCP Influence Operations in Singapore', China Brief, vol. 19, no. 13,

¹⁶ July 2019.

¹⁴² Suryadinata, p. 114.

¹⁴³ Suryadinata, p. 114.

because the new generation of Malaysian Chinese regard themselves as Malaysians. 144

Leo Survadinata, an expert on the Chinese diaspora in Southeast Asia, argues that there has been a shift in Beijing's policy towards overseas Chinese in Southeast Asia. He compares China's reactions in 2015 to another incident in 2013, which did not provoke similarly strong reactions from China. Ann-Marie Brady points out that the CCP policy in relation to overseas Chinese communities has generally been to avoid directly interfering, as long as it is not a matter of Chinese national interest. 145 The case of the Chinese community in Malaysia indicates that what China considers matters of national interest has expanded.

The Chinese ambassador's statements emphasise that China is the home of Malaysian Chinese and that the issue is of national interest to China. This implies an approach to Malaysian Chinese that sees them as Chinese *subjects* and *patriots* who are included in the Chinese polity.

China has continued to become actively involved in Malaysian politics. In the 2018 district elections, the Chinese ambassador publically supported the candidacy of the president of the Malaysian Chinese Association (MCA). The president lost the election, but the active support of the Chinese ambassador was criticised in Malaysia as undue interference in Malaysian domestic politics. 146

To use Glasius' framework, the case of the president of the MCA is an example of how the Chinese state approaches overseas Chinese as *clients* to be co-opted. The presence of foreign nationals of Chinese heritage in strategic positions shows that strong pro-China sentiments can be useful if they gain political positions from which they can act in the interest of the Chinese state.

145 Brady, p. 8.

¹⁴⁴ Suryadinata, p. 119.

¹⁴⁶ Today, 'Amid rise of identity politics, S'poreans need to beware foreign manipulation: Bilahari Kausikan', 12 July 2018 ,https://www.todayonline.com/singapore/amid-rise-identity-politics-sporeansneed-beware-foreign-manipulation-bilahari-kausikan; L. Diamond and O. Schell, China's Influence and American Interests: Promoting constructive vigilance, Hoover Institution, 29 November 2018, Appendix 2, Chinese Influence Activities in Select Countries, p. 177, https://www.hoover.org/sites/default/files/research/docs/13_diamond-schell_app2_web.pdf.

6 Dealing with traitors and opponents

Beijing does not consider all overseas Chinese as potential proponents of a CCP-led China. The CCP is well aware of how in China's history, overseas Chinese, such as Sun Yat Sen, who led the struggle to depose the Qing rulers from outside China, have been crucial actors in the fight against the Chinese regime. ¹⁴⁷ Those who the Party considers to be anti-CCP and immune from being coopted and swayed are treated as enemies of the state. These include the pro-democracy movement, Taiwan independence groups, Tibetan Buddhist and Uighur independence groups, and the Falun Gong. ¹⁴⁸ To this list can now be added supporters of the protest movement in Hong Kong, subsequent to the violent protests that started in June 2019. Of course, in addition to these organized groups, many others among the diaspora also oppose the CCP.

As noted, the use of ethnic and racial references in promoting Chineseness to overseas Chinese risks excluding those overseas Chinese who belong to China's ethnic minorities. Starting in the early 2000s, the Chinese state demonstrated more awareness of overseas Chinese ethnic minorities. The latter were seen as important actors in promoting unity and ethnic harmony in China. However, Barabantseva points out that in contrast to the positive attitude to Han overseas Chinese, overseas Uighurs are treated with suspicion. "Unlike its practices toward Han overseas Chinese, which stress mutual 'blood ties,' culture, values, interests, and patriotism, the state reaches out to overseas Chinese Uyghurs on the assumption that they might otherwise pose a threat to Chinese security." 149 The Chinese state systematically spies on Tibetans and Uighurs in exile. In 2018, a man in Sweden was sentenced to jail for spying on Tibetans and selling the information to Chinese state representatives. 150 In France, it was reported that Chinese police have used the popular WeChat social media app to contact Uighurs and demand that they hand over personal information and identity documents, sometimes threatening them with repercussions for their families in Xinjiang if they refuse to cooperate. ¹⁵¹ Others, such as the Canadian citizen Huseyn Celil, an ethnic Uighur who fled China and was granted Canadian citizenship in 2005, have suffered a worse fate.

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¹⁴⁷ B. Allen-Ebrahimian, 'The Chinese Communist Party is still afraid of Sun Yat Sen's shadow', Foreign Policy, 8 March 2019.

¹⁴⁸ To, Chapter 7.

¹⁴⁹ Barabantseva, p. 85.

¹⁵⁰Swedish Television, SVT, 'Spionerade på landsmän – döms till fängelse', 15 June 2018, https://www.svt.se/nyheter/spionerade-pa-landsman-doms-till-fangelse.

¹⁵¹ B. Allen-Ebrahimian, 'Chinese Police are Demanding Personal Information from Uighurs in France, Foreign Policy, 2 March 2018.

He was arrested in Uzbekistan at the request of China, to which he was subsequently extradited, handed a life sentence, and imprisoned, since 2007. China has refused to acknowledge his Canadian citizenship.¹⁵²

As discussed in Chapter 3, the Chinese government relates to its diaspora in a way typical of authoritarian governments. The Party treats overseas Chinese, regardless of nationality, as subjects and expects them to display loyalty to their motherland. Opponents of the CCP are treated as traitors who can be subject to pressure and even abduction.

6.1 The abduction of Swedish book publisher Gui Minhai in Thailand

In October 2015, the Swedish citizen, Gui Minhai, was abducted from his vacation home in Thailand. Three months later, on 17 January 2016, he appeared on Chinese television, where he delivered a forced confession stating that he had returned to China, of his own free will, to face punishment for an alleged fatal drunk driving accident in 2003. On February 24, 2020, the Ningbo Intermediate People's Court sentenced Gui Minhai to ten years in prison for the crime of illegally supplying intelligence for entities outside the territory of China. At the same time, Chinese authorities informed that Gui had applied for restoration of his Chinese citizenship in 2018 and that the application had been approved. According to Chinese law, he is no longer a Swedish citizen. 153 There is no record of Gui Minhai's legally entering China from Thailand and, since the CCP wanted to stop him from publishing books about the Chinese leadership, there is no credit to the claim in the confession that he returned voluntarily to China to face punishment for a traffic crime. Forcibly removing a person from one territory to another is a breach of Article 2 in the International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED). ¹⁵⁴ In addition, Gui Minhai has repeatedly been denied access to consular help, which is in violation of international, Swedish, and Chinese law. 155

¹⁵² Times Colonist, 'Leak of China documents raises questions about imprisoned Canadian Huseyn Celil, 25 November 2019, https://www.timescolonist.com/leak-of-china-documents-raises-questions-about-imprisoned-canadian-huseyin-celil-1.24018650.

¹⁵³ Embassy of the People's Republic of China in Sweden, 'Foreign Ministry Spokesperson Zhao Lijian's Regular Press Conference on February 25, 2020 ', http://www.chinaembassy.se/eng/fyrth/t1749341.htm.

¹⁵⁴ S. Ming, 'Transborder Abduction of Hong Kong Booksellers: Implications under International Law', LSE Human Rights, 2016, eprint,

 $http://eprints.lse.ac.uk/80175/1/Transborder \%20 Abduction \%20 of \%20 Hong \%20 Kong \%20 Booksellers_\%20 Implications \%20 under \%20 International \%20 Law \%20_\%20 LSE \%20 Human \%20 Rights.pdf.$

¹⁵⁵ T. Kellogg, 'News of a Kidnapping: The Gui Minhai Case and China's Approach to International Law', Fordham International Law Journal, vol. 41, no. 5, 2018, pp. 1215-1242.

Gui Minhai is co-founder of the Mighty Current publishing house, which also owned the bookstore, Causeway Books, in Hong Kong. Four other individuals connected to the bookstore were also brought to China for interrogation and at least one, Lam Wing-kee, who moved to Taiwan in April 2019 and plans to reopen the bookstore there, has stated that Chinese mainland agents abducted him in Shenzhen as he crossed the border from Hong Kong. ¹⁵⁶ Another of the five, who disappeared, Lee Bo, is a British citizen. The disappearances created worries in Hong Kong that China had adjusted its commitment to the "One Country, Two Systems" principle. According to Article 22 of the Basic Law, mainland authorities are not allowed to operate in Hong Kong without the approval of the Hong Kong government. ¹⁵⁷

While the Chinese government has a record of having abducted several Chinese individuals from abroad, it is unusual that they abduct foreign citizens. ¹⁵⁸ In 1993, Australian citizen James Peng Jiandong was abducted in Macau and sentenced to 18 years imprisonment by a Shenzhen court. After diplomatic pressure, he was released to Australia in 1999. ¹⁵⁹

6.1.1 Background

Gui Minhai became a Swedish citizen in 1992, which also required him to give up his Chinese citizenship. In 2000, he returned to China to live in his hometown, Ningbo, but left again in 2003 for Germany, the same year as the claimed fatal traffic accident. In Germany, he became engaged in the business of writing and publishing books about the Chinese political leadership. According to his daughter Angela, when he tried to return to China to visit his family in 2008, he was denied entry. As discussed below, this case is interesting as an example of how the Chinese state may approach a member of the diaspora differently, depending on circumstances. As mentioned above, in 2012 he established Mighty Current, which

¹⁵⁷ Kellogg, 'News of a Kidnapping', p. 1222.

¹⁵⁶ O. Chou and P. Siu, 'One year on: Hong Kong bookseller saga leaves too many questions unanswered', South China Morning Post, 29 December 2016, https://www.scmp.com/news/hong-kong/politics/article/2058000/one-year-hong-kong-bookseller-saga-leaves-too-many-questions.

¹⁵⁸ Z. Dorfman, 'The Disappeared', Foreign Policy, 29 March2018; J. Li, China's history of extraordinary rendition', BBC News, 16 June 2019.

¹⁵⁹ To, p. 193; L. Besser, K. McClymont, and J. Robertson, 'Politician had links to jailed businessman', The Sydney Morning Herald, 17 June 2013, https://www.smh.com.au/business/politician-had-links-to-jailed-businessman-20130616-2oc6k.html.

J. Olsson, De kidnappade kinasvenskarna, Historiska media, Lund, 2018, p. 83; Website of organization Free Gui Minhai which is led by his daughter Angela Gui, https://freeguiminhai.org/aboutgui-minhai/. According to PEN America, Gui was also denied entry to Hong Kong in 2008, in relation to the Olympics. PEN America webpage, 'Beyond the Olympics: The freedom to write in China, after the spotlight', 17 October 2008, https://pen.org/beyond-the-olympics-the-freedom-to-write-in-china-after-the-spotlight/.

specialised in publishing scandalous books about China's leaders. ¹⁶¹ No doubt this is the real reason Chinese authorities decided to abduct him. A month after his first appearance on Chinese television, in January 2016, Gui was interviewed by Hong Kong's Phoenix Television, "confessing" to having violated Chinese law by smuggling 4000 books into China. ¹⁶² Lee Bo, in another interview by Phoenix, said that he wanted to give up his British residence rights. ¹⁶³

Swedish authorities were finally allowed to visit Gui Minhai in late February 2016. The Chinese authorities provided very limited information and did not even explain what crime Gui Minhai was accused of. To this day, they have yet to produce any criminal charges related to his 2015-2017 detention. ¹⁶⁴

In October 2017, Swedish authorities were suddenly informed that Gui Minhai had been released from his detention. For a while, he was able to have some contact with Swedish embassy staff and phone contact with his daughter. Since he was constantly under surveillance, he was not able to speak freely, although he expressed an intention to renew his Swedish passport and that he hoped to return to Europe. 165

On 21 January 2018, Gui Minhai was once again taken away by Chinese authorities. This time it occurred when he was on his way, in the company of two Swedish diplomats, to the Swedish embassy for a medical examination. The Swedish Foreign Ministry protested against this several times, in a markedly stronger way than the first time Gui went missing. In February 2018, Gui Minhai had to endure, for the third time, a forced public confession. In an event organized as a press conference, Gui criticised the Swedish government for meddling in his affairs and said that he had been tricked by the Swedish authorities. ¹⁶⁶ In an article following the press conference, CCP-controlled Global Times claimed that Gui Minhai was still under investigation for illegal business. ¹⁶⁷

Since then, all requests by Swedish authorities to contact Gui Minhai have been denied by the Chinese authorities, who claim that Gui Minhai does not want to be contacted. In June 2018, the Chinese Embassy in Sweden revealed that Gui was

¹⁶³ N. Levin, 'Hong Kong Booksellers Confess to Illegal Sales in China', Wall Street Journal, 29 February 2016.

M.Forsythe and A. Jacobs, 'In China, Books that makes money, and enemies', New York Times, 7 February 2016, https://www.nytimes.com/2016/02/07/business/international/in-china-books-that-make-money-and-enemies.html.

¹⁶² Kellogg, p. 1224.

¹⁶⁴ Kellogg, p. 1224.

¹⁶⁵ Olsson, 'De kidnappade', p. 139; Kellogg.

¹⁶⁶ Kellogg, p. 1227.

¹⁶⁷ Global Times, 'Is Sweden making 'Saving Gui Minhai' movie?', 10 February 2018, http://www.globaltimes.cn/content/1089075.shtml.

under investigation for "illegally providing state secrets and intelligence of China overseas". 168

Since China had announced that Gui was under investigation, the prison sentence in February 2020 did not come as a complete surprise. What was more surprising was the announcement that Gui had applied for restoration of his Chinese citizenship in 2018. According to the Nationality Law of China, article 13, a foreign national who once held Chinese nationality can apply for restoration of Chinese nationality. When the application has been approved, that person "shall not retain foreign nationality". The Chinese Embassy in Sweden stated that the case had been removed from the archive of China—Sweden consular cases and the Chinese Ambassador to Sweden further declared that "this is no longer a topic between China and Sweden". To

The Swedish Foreign Minister, Ann Linde, said that in order to renounce his Swedish citizenship, Gui Minhai would have to apply to the Swedish Immigration Agency. Since no such application had been submitted, Gui Minhai is still a Swedish citizen according to Swedish law.¹⁷¹

Since Gui Minhai was in coercive incommunicado detention when he supposedly applied to restore his Chinese nationality, it cannot be deemed legitimate according to international law. ¹⁷² Forcing Gui Minhai to restore his Chinese nationality makes this already unusual case unique. There are no previous records of other foreign citizens forced to restore their Chinese citizenship, although it is possible that undisclosed cases exist.

The Gui Minhai case has led to very strained relations between the Chinese and Swedish governments. Since early 2018, the newly appointed ambassador to Sweden, Gui Congyou, started what has been described as a campaign of criticism against Swedish media, scholars, and government, in a number of aggressive statements. ¹⁷³ When Swedish PEN decided to award the Tucholsky prize for freedom of speech to Gui Minhai, the Swedish minister of culture handed out the award. The Chinese ambassador, with the support of Beijing, responded that trade

¹⁶⁸ Embassy of the People's Republic of China in Sweden, 'Chinese Embassy Spokesperson's Remarks on the Case of Gui Minhai', 8 June 2018. http://www.chinaembassy.se/eng/mtfw/sgfyryw/t1566916.htm.

¹⁶⁹ Nationality Law of the People's Republic of China, 1980, Article 13, http://www.china.org.cn/living_in_china/visa_customs/2006-10/18/content_1184710.htm.

Embassy of the People's Republic of China in Sweden, 'Chinese Embassy Spokesperson's Remarks Regarding the Court Decision on the Gui Minhai Case', 25 February 2020, http://www.chinaembassy.se/eng/mtfw/sgfyryw/t1749373.htm.

¹⁷¹ J. Majlard, 'Lindes svar på Kinadomen: han är svensk medborgare', *Svenska Dagbladet*, 25 February 2020, https://www.svd.se/linde-gui-minhai-annu-svensk-medborgare.

¹⁷² This evaluation is based on conversations with experts on international law, 25 February 2020.

¹⁷³ B. Jerdén and V. Bohman, 'China's propaganda campaign in Sweden, 2018-2019', *Ui brief*, no. 4, 2019.

between Sweden and China would be negatively affected. The prison sentence in February 2020 raised the level of conflict even further.

6.1.2 The issue of citizenship and ethnicity

The Chinese government has several times questioned the legal value of Gui Minhai's and Lee Bo's foreign citizenship. Foreign minister Wang Yi said that despite the fact that Lee Bo held a British passport, he is first and foremost a Chinese national. ¹⁷⁴ Similarly, in the first forced televised confession, Gui Minhai was made to say that he felt he was truly Chinese and nothing else. Clearly, this shows that the Chinese authorities saw his Swedish citizenship as a problem. Still, the Chinese embassy in Sweden officially acknowledged that Gui Minhai was a Swedish citizen as late as June 2018. ¹⁷⁵

According to legal scholar Thomas Kellogg, the cases of Gui Minhai's and Lee Bo's being pressured to disclaim consular visiting rights and to identify as Chinese nationals constitute a disturbing new development in China's behaviour. ¹⁷⁶ He points out that if the Chinese authorities in fact pressured Gui Minhai to disavow his consular assistance rights, which he is entitled to according to the Vienna Convention on Consular Relations (VCCR), then it would be the first time a state has managed to evade its VCCR responsibilities. ¹⁷⁷

That Gui Minhai's Chinese background matters became even more obvious when compared to another case of a Swedish citizen being detained in China. On 12 January 2016, the news broke that another Swedish citizen, Peter Dahlin, had been detained in China. At that time, there had still been no official mentions of Gui Minhai by the Chinese authorities. Dahlin was working for an NGO, China Action, which focused on helping human rights lawyers in China. Like Gui, Dahlin was also pressured to admit his "crimes" in a forced televised confession. He later described in detail how the Chinese interrogators decided everything he should say beforehand. In contrast to Gui Minhai, Dahlin had to apologise to the Chinese people for hurting their feelings; this is something the Party only demands of foreigners, not Chinese. After the "confession," Dahlin was put on a plane to Sweden and has been prohibited from returning to China for 10 years. While it is difficult to evaluate how the Chinese authorities value the crimes the two were accused of, we can safely assume that Gui Minhai's Chinese heritage is what has stopped him from being returned to Sweden the way that Dahlin was. ¹⁷⁸

¹⁷⁴ Chou and Siu, 'One year on'.

¹⁷⁵ Embassy of China in Sweden, 'Chinese Embassy Spokesperson's Remarks', 8 June 2018.

¹⁷⁶ Kellogg, p. 1220.

¹⁷⁷ Kellogg, p. 1223.

A book in Swedish by journalist Jojje Olsson describes the two cases of Peter Dahlin and Gui Minhai in detail. It includes a long interview with Peter Dahlin. Olsson, 2018. For a text in English, see P. Tom, 'A Human Rights Activist, a Secret Prison and a Tale from Xi Jinping's new China', *The Guardian*, 3 January 2017, https://www.theguardian.com/world/2017/jan/03/human-rights-activist-peter-dahlin-secret-black-prison-xi-jinpings-new-china.

By applying Glasius' framework to the analysis, we can see that the Chinese state has related to Gui Minhai differently over time. In 2008, when Gui Minhai tried to enter China, he was reportedly denied an entry visa. This form of repression excludes him from the Chinese polity and treats him as an *outlaw*. However, after Gui engaged in the publishing of books critical of the Chinese leadership, he apparently became a part of the Chinese polity again. By abducting and incarcerating Gui, and coercing him to restore his Chinese nationality, the CCP ironically includes him into the Chinese polity once more, as a *subject* to be repressed.¹⁷⁹

6.2 Extradition of Taiwanese citizens from third countries

Taiwan is a special case in terms of analysing extraterritorial state activities. While Taiwan has never been under PRC control, the PRC does not recognise Taiwan's de facto independence and reserves the right to take the territory by force if necessary. China has managed to reduce the number of states that recognise Taiwan's government instead of Beijing to 15.180 From a PRC perspective, it is correct to consider Taiwan and the Taiwanese as part of the Chinese nation. However, China has offered to include Taiwan in China under the same terms as Hong Kong, within the so-called "one country, two systems" model. This would at least allow Taiwanese to retain their own passports and judicial system. Against this background, recent changes in Beijing's policy of extradition of Taiwanese can be seen as contradicting even a "one country, two system" arrangement.

In April 2016, as a reaction to the election of Tsai Ing-wen as president of Taiwan, Beijing decided to change the previous practice of allowing Taiwanese who had been found guilty of crimes overseas to be extradited to Taiwan. This change in policy was first practiced in the case of a group of eight Taiwanese who were extradited from Kenya to China, despite having been acquitted of online fraud in a Kenyan court. Taiwan's ministry of foreign affairs protested against the extradition and called it "an uncivilized act of extrajudicial abduction." Some days later, another 36 Taiwanese citizens were extradited to China from Kenya. In December 2017, the 44 Taiwanese were sentenced by a Beijing court to jail terms ranging from one year and nine months to 15 years.

¹⁷⁹ Glasius.

¹⁸⁰ F. Ching, 'Taiwan in mind, Beijing channels overseas Chinese influence', *ejinsight*, 21 October 2019, http://www.ejinsight.com/20191021-taiwan-in-mind-beijing-channels-overseas-chinese-influence/.

¹⁸¹ K. Ponniah, 'Why is Spain in the middle of a spat between China and Taiwan?', BBC News, 23 March 2017

¹⁸² J. Horwitz, 'Beijing has abducted eight Taiwanese men from Kenyan police bureau—Taiwan officials', Quartz Africa, 11 April 2016.

¹⁸³ Reuters, 'Beijing jails 44 Taiwanese deported from Kenya for telecom fraud', South China Morning Post, 11 December 2017.

extradition by saying that previous criminals sent to Taiwan had gone free. 184 The Taiwanese side complained that it was not possible for the accused to receive a fair trial in China, as it lacks an independent judicial system.

In May 2018, Spain became the first European country to extradite Taiwanese – two individuals suspected of online fraud – to China. Despite criticism from the European Union and the United Nations, Spain made the decision in June 2019 to extradite another 94 Taiwanese to China to face trial for similar crimes. ¹⁸⁵ In the Spanish case, the Chinese government used new arguments compared to those used in the Kenyan case. They said that because the victims of the fraud were mainland Chinese in China, they had the right to try the Taiwanese in China. This practice is in line with international law. ¹⁸⁶ It seems that between 2016 and 2018 the Chinese authorities did their work in studying international law.

In contrast to Spain, in July 2019 the Czech Republic denied a similar request by China to extradite Taiwanese suspected of telecom fraud on the grounds that they would face inhumane treatment in China. These cases show that extradition of Taiwanese is related to the particular state's relationship with China. The Czech Republic has moved from being one of Europe's most China-friendly states to one of its fiercest critics. Spain, on the other hand, is careful not to damage its relationship to China and is one of few EU countries that has awarded Huawei a contract to deploy part of its 5G network. 188

In July 2019, Taiwan's mainland Affairs Council announced that since 2016, 650 Taiwanese accused of telecom fraud had been extradited to mainland China from various countries. ¹⁸⁹ Other countries that have extradited Taiwanese to mainland China include Cambodia and the Philippines, which both have close relations with China.

The case of the Taiwanese shares similarities with the abduction of the Hong Kong booksellers and shows that Beijing is increasingly less concerned with respecting the judicial autonomy of Hong Kong and Taiwan. Extradition of Taiwanese citizens should be seen in the light of mainland China's policy of internationally isolating Taiwan as a punishment for the election of President Tsai. In August

¹⁸⁷ K. Everington, 'Czech Republic denies China's request for Taiwanese telecom fraud suspects', *Taiwan News*, 16 July 2019, https://www.taiwannews.com.tw/en/news/3745547.

¹⁸⁴ L. Kuo, 'China will retry Taiwanese nationals who were acquitted of any crime in Kenya', *Quartz Africa*, 13 April 2016.

¹⁸⁵ Euroreporter, 'Extradition of Taiwan nationals by Spain', 14 June 2019, https://www.eureporter.co/frontpage/2019/06/14/extradition-of-taiwan-nationals-by-spain/.

¹⁸⁶ Ponniah, 'Why is Spain'.

J.Tomas, 'Telefonica Spain selects Huawei for part of its 5G core network', RCR Wireless News, 9 December 2019, https://www.rcrwireless.com/20191209/5g/telefonica-spain-selects-huawei-part-5g-core-network-report.

¹⁸⁹ Taipei Times, 'Twelve Taiwanese held in Cambodia, MOFA seeks access', 24 July 2019, http://www.taipeitimes.com/News/taiwan/archives/2019/07/24/2003719232.

2019, the Chinese government issued a ban on solo travel to Taiwan as a measure to put economic pressure on Taiwan before the presidential election in January 2020.¹⁹⁰

In terms of the theoretical framework of authoritarian extraterritorial practices, extradition of Taiwanese to the mainland shares some similarities with the cases of Gui Minhai and Lee Bo. It involves the involuntary *inclusion* into the Chinese polity of a group of Taiwanese people against their will, as well as against the will of the Taiwanese government.

¹⁹⁰ C. Nithin, 'China's Secret Weapon Abroad: Tourists', *Nation*, 3 January 2020, https://www.thenation.com/article/chinas-tourism-taiwan-elections/.

7 Security consequences

This section analyses the security consequences of China's policy towards overseas Chinese, including the extraterritorial acts discussed in Chapters 5 and 6. The notion of security is used broadly, as "... the pursuit of freedom from threat and the ability of states and societies to maintain their independent identity and their functional integrity against forces of change which they see as hostile." ¹⁹¹

Ethnic nationalism and authoritarian politics is a common combination for a large part of the world's regimes. Authoritarian regimes also tend to approach their diaspora in similar ways. However, China's increasing global influence, in combination with the CCP's extensive and organised apparatus for influencing overseas Chinese, increases the impact of China's diaspora policy far beyond that of any other state. This is also why this policy has created strong reactions in many countries, including Malaysia, Singapore, Australia, and the United States. Extraterritorial activities have a direct impact on the countries in which the Chinese diaspora resides. Chinese extraterritorial activities result in a number of security consequences:

- 1. Foreign influence in domestic politics: The different ways authoritarian states can approach the diaspora, according to Glasius' theoretical framework, have different security consequences. When China successfully mobilises subjects or co-opts clients, these individuals may be used in a foreign state as workers for China's national interests, which in many cases are not in the national interest of that state. Some overseas Chinese are themselves policymakers, while others have gained influence over important policymakers. In case the CCP's interest contradicts the national interest of the host country, such policymakers may undermine the country's national security. In Southeast Asia and increasingly in Australia and New Zealand, there is mounting evidence that the Chinese state is actively trying to influence overseas Chinese in political decision-making positions.
- 2. Security threats against foreign citizens of Chinese descent: Surveillance, threats, and abductions in foreign territory against members of the diaspora constitute violations of state sovereignty. Those deemed as outlaws or traitors particularly risk being subject to coercive acts by the Chinese state. These acts are also a direct security threat to the individuals being targeted and who are citizens in states other than China. Such individuals cannot trust their citizenship to give them the same protection as other citizens of the same state have. As described in Chapter 5, neither Gui Minhai's Swedish passport nor Lee Bo's British one saved them from being abducted by the Chinese state

¹⁹¹ Buzan, 'New patterns', p. 532.

outside its jurisdiction. Being of Chinese descent automatically makes a person a possible target of Chinese influence operations as well as sanctions. The Chinese government has shown that it has the capacity and will to punish foreign citizens of Chinese heritage far beyond its territorial borders. Although abduction of foreign citizens are rare, they constitute worrying examples of how the CCP has stepped up its operations on foreign soil.

- 3. Security threats because of deteriorating bilateral relations: Chinese extraterritorial activities can also, as in the case of Gui Minhai, result in strained bilateral relations that potentially affect other citizens. The Chinese government has shown that it is ready to use sanctions against foreign nationals in China as a political tool. In December 2018, Canadian police arrested Huawei chief financial officer Meng Wanzhou, at the request of the US. China quickly responded by arresting two Canadian citizens in China, accusing them of espionage, and detaining them without access to lawyers or family. 192 Such "hostage diplomacy" from the Chinese government risks becoming more common as Chinese interests clash with those of other countries.
- 4. Security threats to members of the diaspora as a result of anti-Chinese sentiments: The CCP's policy of influencing overseas Chinese creates suspicion against them in their host countries, regardless of whether they support the CCP or not. Anti-Chinese sentiments and racism constitute a security threat towards members of the Chinese diaspora. History has shown that anti-Chinese violence can easily erupt in Southeast Asia. The risk of anti-Chinese violent acts increases in other states as the Chinese presence also increases there. In recent years, attitudes towards China have become markedly more negative in many countries around the world. 193 In the U.S., a 2018 Hoover-Asia Society report on China's coercive campaign in the US created sharp reactions among Chinese Americans. The famous historian, Professor Gordon Chang, a fierce critic of the CCP, said that to depict Chinese Americans as possible CCP collaborators purely based on ancestry amounts to ethnic McCarthyism. 194
- 5. *Undermining international law*: Every extraterritorial act that the Chinese government performs in violation of international law calls into question

¹⁹² D. Bilefsky, 'Extradition hearings begin for Meng Wanzhou, Huawei officer in Canada', New York Times, 20 January 2020, https://www.nytimes.com/2020/01/20/world/canada/meng-wanzhou-huawei-detention-vancouver.html.

¹⁹³ L. Silver, K. Devlin and C. Huang, 'People around the globe are divided in their opinions of China', Pew Research Center, 5 December 2019, https://www.pewresearch.org/fact-tank/2019/12/05/people-around-the-globe-are-divided-in-their-opinions-of-china/.

¹⁹⁴ P. Waldman, 'As China'.

Beijing's commitment both to it and to respect for principles of nationality that are based on citizenship. China's actions increasingly affect other countries and make it difficult for China to claim with any credibility that it does not interfere in the affairs of other countries. 195 In fact, the CCP's united front strategy, detailed above, has always gone against the policy of noninterference, as it aims to affect actors in foreign countries. 196 At the same time. China vehemently protests any actions by foreign powers that can be considered interference in Chinese internal affairs. As China's national interest changes, so does its commitment to the principles of non-intervention, at least regarding China's own activities in foreign countries. This pragmatic attitude is also visible in China's policy towards overseas Chinese. From a security perspective, other states must be prepared for more extraterritorial acts from China, especially when it comes to questions involving overseas Chinese, whom China from an ethnic perspective considers to be part of the Chinese nation. In a longer perspective, if ethnicity and heritage are allowed to override principles of civic nationality based on legal citizenship, China's extraterritorial activities threaten to undermine international law.

6. Judicial independence in Hong Kong and Taiwan under threat: The abduction of Lee Bo and the extradition of Taiwanese citizens from third countries show Beijing's lack of respect for the judicial independence of Hong Kong and Taiwan. Such extraterritorial activities are manifestations of the Party's aim to increase its control over these territories.

Judging from the political situation in China, there are no signs that the current policy towards overseas Chinese will change. However, strong reactions from foreign governments against Chinese influence in domestic politics might force Beijing to avoid some of the extraterritorial acts that most blatantly violate international law.

It is important that the international community refuse to accept the CCP narrative of the Party's representing all Chinese. On the contrary, states should make clear that the CCP's efforts to use and pressure the Chinese diaspora are at the core of the problem.

Careful examination and mapping of the CCP's relationship with the Chinese diaspora, including the United Front's activities abroad, are important, not least in order to remove any suspicion against the majority of the Chinese diaspora, who are not working for the Party.

¹⁹⁵ C. Sørensen, 'That is NOT Intervention; That Is Interference with Chinese Characteristics: New Concepts, Distinctions and Approaches Developing in the Chinese Debate and Foreign and Security Policy Practice', *The China Quarterly*, no. 221, 2019, pp. 123–142.

¹⁹⁶ Brady, p. 41.

States affected by Chinese extraterritorial activities, such as Sweden, would do well to share their experiences and coordinate action with other countries. To deal with Chinese extraterritorial activities, the EU should coordinate its policy among the member states. Attention should be given to examples of different possible countermeasures, such as Australia's 2018 Foreign Influence Transparency Scheme Bill.

8 Conclusions

This research report set out to address a set of research questions posed in its first chapter: How does China's current leadership view the Chinese nation and Chinese nationality? How has this perspective been reflected in changes of policies towards overseas Chinese under Xi Jinping's rule? What are the security consequences of this policy change for overseas Chinese and the countries in which they reside?

While China is officially described as a multiethnic country, the Chinese leadership simultaneously uses ethnic and racial references when talking about the Chinese people and continuously emphasises the importance of bloodline and heritage. Domestically, this excludes ethnic minorities who do not share history and heritage with the Han Chinese majority. Internationally, this view extends to all those with a Chinese heritage, including the 40 million overseas Chinese, and thereby deterritorialising the nation. All foreign nationals with Chinese heritage, no matter how many generations back, can potentially be included in the Chinese nation. This perspective obscures the distinction between Chinese nationals abroad (huaqiao) and foreign nationals of Chinese heritage (huaren). The authoritarian nature of the regime allows little or no space for other views than the official view, or for opposition to the Communist Party. This intolerance towards dissenting views also includes overseas Chinese. From Beijing's perspective, support for China equals support for the Party.

While the combination of ethnic nationalism and an authoritarian system is not unique to China, China's global influence, the size of the Chinese diaspora, and the level of organisation of the CCP's propaganda apparatus towards overseas Chinese make China stand out in comparison to other states.

Xi Jinping has declared that it is time for China to take centre stage in the world. During Xi's reign, China has made changes that move it towards a more assertive foreign policy in the economic, military, diplomatic, and cultural spheres. Overseas Chinese have been declared an important part in the process of rejuvenating the Chinese nation. The overseas affairs work has intensified and strives to mobilise the Chinese diaspora, regardless of citizenship, to the CCP's cause. Members of the diaspora who oppose the regime are treated as criminals and traitors.

This study provides examples of how the Chinese government engages in extraterritorial activities in order to punish overseas Chinese who it considers opponents of the regime. Those members of the diaspora who the Party considers loyal are sometimes used as brokers in order to influence politics in the country of residence in favour of China's national interests. Opponents, in contrast, risk being threatened or even abducted.

China's extraterritorial activities have several security consequences for other states at both systemic as well as individual levels. These include Chinese state influence in domestic politics, security threats against citizens of Chinese descent and foreign citizens residing in China, and an undermining of the system of international law.

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